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Proceedings of the Senate, 1879.

A. L. Jackins
Journal Clerk

Appointment
Senate Journal committee
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Journal of the Senate of Arkansas.

Twenty-Second Session.

Little Rock, Arkansas,
Monday, January 13. 1879.

In pursuance of the provisions of the Constitution of the State of Arkansas, the members of the Senate thereof, met at the Senate Chamber, in the City of Little Rock, on the day above mentioned, at 12 o'clock meridian.

The Senate was called to order by its President, Senator J. B. Judkins.

Thompson, the Rev. Thomas R. Welsh offered prayer.

The Secretary, Jacob Frolich, then proceeded to call the Roll, as furnished by the Secretary of State, the following named members answering as called, viz:

Armistead, Boyd, Chism, Crowley Suffie, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Mitchel, Mulkey, Pennington, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, Watson White, Whittington, Williams and Wilson.

The following named Senators were absent, viz:—

Carlton, Hampton and Stanford.

Senator Boyd presented the petition of Benj. J. Johnson, giving notice of intent to contest the seat of Senator Terry.

Which said petition was placed on file.

The following list of newly elected Senators, duly attested by the Secretary of State, was then read, viz:

Office of Secretary of State, Arkansas,
Little Rock, January 13. 1879.

To the Senate of the State of Arkansas:

I herewith send a list of Senators elected on the second day of September, 1878, as

Moncrief

provided for in section 63, of an act of the General Assembly, approved, January 23rd. 1875-

No. of District	Counties	Names of Senators Elected ×
Third	Carroll, Boone Newton	W. W. Watkins ×
Fourth	Johnson Pope	John F. Hill ×
Sixth	Independence Stone	James Rutherford
Seventh	Woodruff, St. Francis Cross Crittenden	R. J. Williams ×
Tenth	Pulaski Perry	W. L. Terry and E. D. Boyd
Eleventh	Jefferson	N. King White.
Twelfth	Lonoke, Prairie	J. E. Galewood ×
Fifteenth	Desha Chicot	Charles Carlton.
Seventeenth	Drew Ashley	T. M. Whittington ×
Nineteenth	Calhoun Ouachita	John R. Thornton
Twentieth	Hempstead Nevada	Mitchel
Twenty-First	Columbia Lafayette Miller	W. H. C. Rice.
Twenty-Fourth	Benton Madison	E. P. Watson
Twenty-Seventh	White Faulkner	J. W. Duncan
Thirtieth	Clark, Pike Montgomery	C. A. Garitt.

January 13, 1879.

I, B. B. Beavis, Secretary of State, of Arkansas, do hereby certify that the foregoing is a correct list of the members of the Senate elected, on the 2nd day of September, 1878, as appears by the returns in my office.

In testimony whereof I have hereunto set my hand and affixed my official seal, at Little Rock, on the 13th day of January, 1879

L. S.

B. B. Beavis,
Secretary of State.

Note — A certificate was filed in my office, on Oct. 18/78, from County Clerk of Jefferson County, certifying that O. P. Snyder was duly elected State Senator from Jefferson County. The only returns on file, in this office, show the election of H. King White.

B. B. Beavis,
Secy. of S.

The Roll of the newly elected Senators was called, and the following Senators were present, and came forward and qualified according to law, by taking and subscribing to the required oath of office, prescribed by the Constitution, before Associate Justice Wm. M. Harrison, viz:

R. J. Williams, John F. Hill, James Rutherford, W. W. Watkins, W. L. Ferry, J. E. Gatewood, H. King White, E. S. Boyd, T. M. Whittington, J. R. Thornton, C. E. Mitchel, W. H. H. Reid, C. A. Gantt, J. W. Duncan and E. R. Watson.

It appearing that the name of Senator Hanna was not embraced in the list of newly elected ~~Senators~~, as attested by B. B. Beavis, Secretary of State, Senator Hanna presented a certificate of election, duly attested and certified to, by W. T. Poe, clerk of the County of Van Buren.

On motion the oath of office was subscribed to by Senator Hanna, and the Secretary of State was requested to correct the list of newly elected Senators, by adding the name of Senator Hanna thereto.

A quorum being present, it was announced by the President, that nominations for President of the Senate were in order, whereupon:

Senator Reid nominated Senator J. B. Judkins
Senator McCuiley " " R. T. Kerr.

Monday

Senator Watson nominated Senator H. C. Tipton.
Senator White " " A. H. Ferguson.
The roll being called the following senators voted for Senator Judkins, viz:
Crowley, Gantt, Harris, Kerr, Mitchel, Pennington, Reid, Terry, Thornton — 9
The following named Senators voted for R. T. Kerr, viz:
Armistead, Boyd, Chism, Duffie, Duncan, Ferguson, Gatewood, Hanna, Hill, Judkins, Muckey, Tipton and Wilson — 13.
The following named Senators voted for H. C. Tipton, viz:
Rutherford and Walson — 2
The following named Senators voted for A. H. Ferguson, viz:
Watkins White, Whittington, Williams — 4

Absent and not voting, Senators Carlton, Hampton and Stanford.

Recapitulation of vote on First Ballot.

J. B. Judkins	—	9
R. T. Kerr	—	13
H. C. Tipton	—	2
A. H. Ferguson	—	4

Total number of votes cast — 28
Necessary to a choice — 15

And no one of the candidates having received a majority of the whole number of votes cast, it was declared there was no election.

And the Senate then proceeded to cast a second ballot for President, when it appeared the following named Senators voted for J. B. Judkins, viz:
Crowley, Gantt, Harris, Kerr, Mitchel, Pennington, Reid, Terry Thornton — 9
The following named Senators voted for R. T. Kerr, viz:
Armistead, Boyd, Chism, Duffie, Ferguson, Gatewood Hanna, Hill, Judkins, Muckey, Tipton, Wilson — 12.
The following named Senators voted for H. C. Tipton, viz:
Duncan, Rutherford and Walson — 3.
The following named Senators voted for A. H. Ferguson, viz:
Watkins, White, Whittington and Williams — 4.

Jany 13, 1879.

Absent and not voting Senators Carlton, Hampton, and Stanford — 3 x

No election being had the Senate proceeded to ballot the third time, when it appeared the following named Senators voted for Senator J. B. Judkins, viz =

Crowley, Ferguson, Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton and Williams — 10

The following named Senators voted for R. T. Kerr, viz =

Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mickey, Tipton, Wilson — 10

The following named Senators voted for M. C. Tipton, viz =

Kerr, Rutherford, Watkins, Watson — 4 x

The following named Senators voted for A. H. Ferguson x viz =

Judkins, White — 2 x

Absent and not voting, Senators Carlton, Hampton, and Stanford — 3 x

and no election being had, the Senate proceeded to ballot the Fifth time, when it appeared the following named Senators voted Senator Judkins, viz =

Senators Crowley Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton, Tipton, Whittington, Williams — 10 x

The following named voted for Senator Kerr, viz=
Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mulky, Wilson – 10
The following named Senators voted for Senator Tipton, viz=
Senators Ferguson, Judkins, Kerr, Rutherford Watkins, Watson – 6
Senator White voted for Senator Ferguson – 1.
Absent and not voting Senators Carlton, Hampton, and Stanford – 3 x
And then being no election, the Senate proceeded to ballot the Sixth time, when it appeared the following named Senators voted for Senator Judkins, viz=
Senators Crowley, Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton, Whittington, Williams – 10.
The following named voted for Senator Kerr, viz=
Armistead, Boyd, Chism Duffie, Duncan, Gatewood, Hanna, Hill, Mulky, Wilson – 10 x
And for Senator Tipton = Senators Ferguson, Kerr, Rutherford, Watkins, Watson – 5 x
And for Senator Ferguson = Senators Judkins and Tipton 2 x
Absent and not voting = Senators Carlton, Hampton, and Stanford – 3 x
And no election being had, the Senate proceeded to ballot the Seventh time for President, when the following named Senators voted for Senator Judkins, viz=
Senators Crowley, Gantt, Harris, Mitchel, Pennington, Reid Terry, Thornton, Whittington, Williams – 10 x
And for Senator Kerr = Senators Armistead, Boyd, Chism, Duffie Duncan, Gatewood, Hanna, Hill, Mulky, Tipton Wilson – 11 x
And for Senator Tipton = Senators Ferguson, Kerr, Rutherford, Watkins, Watson – 5 x
And for Senator Ferguson = Senators Judkins and White – 2 x
Absent or not voting Senators Carlton, Hampton and Stanford – 3 x
And no election being had the Senate proceeded to ballot the Eighth time, when it appeared the following named Senators were present and voted =
For Senator Judkins = Senators Crowley, Ferguson Gantt, Harris, Mitchel, Pennington Reid, Terry, Thornton Tipton Whittington, Williams – 12 x
For Senator Kerr, Armistead, Boyd, Chism Duffie, Duncan, Gatewood, Hanna, Hill Mulky, Rutherford, Wilson – 11 x
For Senator Tipton, Senators Kerr, Watson, Watkins – 3

Jany 15, 1879.

And for Senator Ferguson: Senators Judkins and White – 2

Absent and not voting: Senators Carlton, Hampton and Stanford – 3 x

And no election being had the Senate proceeded to ballot the ninth time for President, when the following senators voted for Senator Judkins:

Senators Crowley, Ferguson, Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton, Whittington, Williams – 11 x

For Senator Kerr: Senators Armistead, Boyd, Chism, Duffie Duncan, Gatewood, Hanna, Hill, Mulkey, Tipton Wilson – 11 x

For Senator Tipton: Senators Kerr, Rutherford, Watkins, Watson – 4 x

For Senator Ferguson, Senators Judkins White – 2 x

Absent and not voting: Senators Carlton, Hampton, Stanford – 3 x

And no election being had the Senate proceeded to ballot the tenth time, when the following senators voted

For Senator Judkins: Senators, Crowley, Ferguson, Gantt, Harris Mitchel, Pennington, Reid Terry, Thornton, Whittington, Williams – 11 x

For Senator Kerr: Armistead, Boyd, Chism, Duffie Duncan, Gatewood, Hanna, Hill, Mulkey, Rutherford, Tipton, Wilson – 12 x

For Senator Tipton Judkins, Kerr, Watkins, Watson – 4 x

For Senator Ferguson: Senator White – 1 x

Absent and not voting: Senators Carlton Hampton & Stanford – 3 x

And no election being had, the Senate proceeded to ballot the eleventh time, when the following Senators voted

For Senator Judkins: Senators Crowley Ferguson, Gantt, Harris Mitchel, Pennington, Reid, Terry Thornton, Tipton Whittington Williams – 12 x

For Senator Kerr: Senators Armistead Boyd Chism, Duffie, Duncan Gatewood Hanna, Hill, Mulkey, Wilson – 10 x

For Senator Tipton, Judkins Kerr, Rutherford, Watkins Watson – 5 x

For Senator Ferguson: Senator White x

Absent and not voting: Senators Carlton Hampton and Stanford – 3 x

And no election being had the Senate proceeded to ballot the Twelfth time, when the following

named Senators voted

For Senators Jud Kins = Senators Crowley Ferguson, Gantt, Harris, Mitchel, Pennington, Reid Terry Thornton, Whittington, Williams — 11 x

For Senator Kerr = Senators Armistead Boyd, Chism, Duffie, Duncan Gatewood, Hanna, Hill Mulky, Tipton Wilson — 11 x

For Senator Tipton = Senators Jud Kins Kerr Rutherford, Watkins, Watson — 5 x

For Senator Ferguson = Senator White — 1

Absent and not voting = Senators Carlton, Hampton, Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Thirteenth time, when the following named Senators voted.

For Senator Jud Kins = Senators Crowley, Ferguson, Gantt, Harris Mitchel Pennington, Reid Terry Thornton Tipton, Whittington, Williams — 12

For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mulky, Wilson — 10 x

For Senator Tipton = Senators Jud Kins Rutherford Watson — 3 x

For Senator Ferguson, Senators Kerr White — 2 x

For Senator Duffie = Senator Watkins — 1 x

Absent and not voting = Senators Carlton, Hampton Stanford — 3 x

And there being no election, the Senate proceeded to ballot the Fifteenth time, when the following named senators voted.

For Senator Jud Kins = Senators Crowley Gantt, Harris, Mitchel, Pennington, Reid, Terry Thornton, Whittington, Williams — 10 x

For Senator Kerr = Senators Armistead Boyd, Chiem, Duncan Gatewood, Hanna, Hill, Mulky Tipton, Wilson — 10 x

For Senator Tipton = Senators Kerr, Rutherford Watson — 3 x

For Senator Ferguson = Senator White — 1 x

For Senator Duffie = Senators Judkins and Watkins — 2 x

For Senator Watkins = Senators Duffie, Ferguson — 2 x

Absent and not voting = Senators Carlton, Hampton and Stanford — 3 x

And no election being had the Senate proceeded to ballot the Sixteenth time for President when it appeared the following named Senators voted

For Senator Judkins = Senators Crowley, Harris Mitchel, Reid Terry Thornton, Whittington, Williams — 8 x

For Senator Kerr = Senators Armistead, Boyd, Chiem, Duffie Duncan Gatewood, Hanna, Hill, Mulky, Wilson — 10 x

For Senator Tipton = Senators Judkins, Kerr, Rutherford, Watson — 4 x

For Senator Ferguson = Senators Tipton, Watkins and White — 3 x

For Senator Watkins = Senator Ferguson — 1 x

For Senator Duffie = Senators Gantt and Pennington — 2 x

Absent and not voting = Senators Carlton, Hampton and Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Seventeenth time for President, when the following named Senators voted =

For Senator Judkins = Senators Crowley, Gantt, Harris, Mitchel, Pennington Reid, Terry, Thornton, Whittington, Williams — 10 x

For Senator Kerr = Senators Armistead, Boyd, Chiem, Duffie, Duncan, Gatewood, Hanna, Hill, Mulky, Tipton, Wilson — 11 x

For Senator Tipton = Senators Judkins, Rutherford, Watson — 3 x

For Senator Ferguson = Senators Watkins White — 2 x

For Senator Watkins = Senators Ferguson Kerr — 2 x

Absent and not voting = Senators Carlton, Hampton, Stanford — 3x

And no election being had the Senate proceeded to ballot the Eighteenth time, when the following named Senators voted

For Senator Judkins = Senators Crowley, Duffie, Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton, Whittington, Williams — 11x

For Senator Kerr = Senators Armistead, Byrd, Chiem, Duncan, Gatewood, Hanna, Hill, Mulky, Rutherford, Wilson — 10x

For Senator Tipton = Senators Judkins, Watson — 2x

For Senator Ferguson = Senators Tipton, Watkins, White — 3x

For Senator Watkins = Senator Ferguson — 1x

For Senator Watson = Senator Kerr — 1x

Absent and not voting = Senators Carlton, Hampton, Stanford — 3x

And there being no election, the Senate proceeded to ballot the Nineteenth time, when the following named Senators voted

For Senator Judkins = Senators Crowley, Gantt, Harris, Reid, Terry, Thornton, Whittington, Williams — 8x

For Senator Kerr = Senators Armistead, Byrd, Chiem, Duncan, Gatewood, Hanna, Hill, Mulky, Rutherford, Tipton, Wilson — 12x

For Senator Tipton = Senators Judkins, Watson — 2x

For Senator Ferguson = Senators Watkins, White — 2x

For Senator Watkins = Senator Ferguson — 1x

For Senator Duffie = Senators Kerr, Mitchel, Pennington — 3x

Absent and not voting = Senators Carlton, Hampton, Stanford — 3x

And no election being had the Senate proceeded to ballot the Twentieth time when the following named Senators voted

For Senator Judkins = Senators Crowley, Gantt, Harris, Reid, Terry, Tipton, Whittington, Williams — 8x

For Senator Kerr = Senators Armistead, Byrd, Chiem, Duffie, Duncan, Gatewood, Hanna, Hill, Mulky, Wilson — 10x

For Senator Tipton = Senators Judkins Rutherford, Watson — 3 x

For Senator Ferguson = Senators Watkins, White — 2 x

For Senator Watkins = Senator Ferguson — 1 x

For Senator Duffie = Senators Kerr, Mitchel, Pennington Thornton — 4 x

Absent and voting = Senators Carlton, Hampton Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Twenty-First time, when it appeared the following named Senators voted

For Senator Judkins = Senators Crowley, Gantt, Harris, Mitchel, Reid, Terry, Whittington Williams — 8 x

For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie Duncan, Gatewood, Hanna Hill McCoy, Wilson — 10 x

For Senator Tipton = Senators Judkins, Rutherford, Watson — 3 x

For Senator Ferguson = Senators Watkins White — 2 x

For Senator Watkins = Senator Ferguson — 1 x

For Senator Duffie = Senators Kerr, Pennington, Thornton, Tipton — 4 x

Absent and not voting = Senators Carlton, Hampton and Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Twenty-Second time, when the following named Senators voted.

For Senator Judkins = Senators Crowley, Harris Mitchel, Reid, Terry Whittington Williams — 7 x

For Senator Kerr = Senators Armistead, Boyd Chism, Duffie, Duncan, Gatewood. Hanna, Hill, McCoy, Wilson — 10 x

For Senator Tipton = Senators Judkins, Kerr, Rutherford, Watson — 4 x

For Senator Ferguson = Senators Watson, White — 2 x

For Senator Watkins = Senators Ferguson, Gantt — 2 x

For Senator Duffie = Senators Pennington, Thornton, Tipton — 3 x

Absent and not Voting = Senators Carlton, Hampton, Stanford — 3 x

And no election being had the Senate proceeded to ballot the Twenty-third time for President, when it appeared that the following named Senators voted.

For Senator Judkins = Senators Crowley, Harris, Mitchel, Reid, Terry, Thornton, Whittington Williams — 8×

For Senator Kerr = Senators Armistead, Boyd, Chism, Duncan Gatewood Hanna Hill, Mulky, Tipton, Wilson — 10×

For Senator Tipton = Senators Judkins, Kerr, Rutherford, Watson — 4×

For Senator Ferguson = Senators Duffi White — 2×

For Senator Duffi = Senators Ferguson Gantt. Pennington — 3×

And no election being had the Senate proceeded to ballot the Twenty-Fourth time, when the following senators voted

For Senator Judkins = Senators Crowley, Gantt, Harris, Mitchel, Pennington Reid, Terry, Thornton, Tipton, Whittington, Williams — 11×

For Senator Kerr = Senators Armistead, Boyd, Chism, Duncan, Gatewood Hanna, Hill, Mulky, Wilson — 9×

For Senator Tipton = Senators Judkins, Kerr, Rutherford, Watson — 4×

For Senator Ferguson = Senators Duffi, Watkins, White — 3×

For Senator Duffi = Senator Ferguson — 1

Absent and not voting = Senators Carlton Hampton, Stanford — 3×

And no election being had, the Senate proceeded to ballot the Twenty-Fifth time, when the following Senators voted

For Senator Judkins = Senators Crowley, Gantt, Harris, Mitchel, Pennington Reid, Terry Thornton, Whittington, Williams — 10×

For Senator Kerr = Senators Armistead, Boyd, Chism, Duffi Duncan, Gatewood Hanna, Hill, Mulky, Tipton, Wilson — 11×

For Senator Tipton = Senators Judkins, Kerr, Rutherford, Watson — 4×

For Senator Ferguson = Senators Watkins and White — 2 x
For Senator Duffie = Senator Ferguson — 1 x
Absent and not voting = Senators Carlton Hampton, Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Twenty-sixth time, when the following Senators voted =

For Senator Judkins = Senators Crowley, Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton, Whittington Williams — 10 x
For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan Gatewood, Hanna, Hill, Mulky, Tipton, Wilson — 11 x
For Senator Tipton = Senator Judkins, Rutherford, Watson — 3 x
For Senator Ferguson = Senators Watkins and White — 2 x
For Senator Watkins = Senator Ferguson — 1 x
For Senator Duffie = Senator Kerr — 1 x
Absent and not voting = Senators Carlton, Hampton Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Twenty-seventh time, when the following senators voted =

For Senator Judkins = Senators Crowley, Gantt Harris, Mitchel, Pennington, Reid, Terry, Thornton, Tipton, Whittington, Williams — 11 x
For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan Gatewood, Hanna, Hill, Mulky, Wilson — 10 x
For Senator Tipton = Senators Judkins Rutherford, Watson — 3 x
For Senator Ferguson = Senators Watkins White — 2 x
For Senator Watkins = Senator Ferguson — 1 x
For Senator Duffie = Senator Kerr — 1 x
Absent and not voting = Senators Carlton, Hampton, Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Twenty-eighth time, when the following senators voted viz

For Senator Judkins

Senators Crowley, Grantt, Harris, Mitchell, Pennington, Reid, Terry, Thornton, Tipton, Whittington and Williams (= 11)

For Senator Kerr

Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mulkey and Wilson (= 10)

For Senator Tipton

Senators Judkins, Kerr, Rutherford and Watson (= 4)

For Senator Ferguson

Senators Watkins and White = (2)

For Senator Watkins

Senator Ferguson = (1)

Absent and not voting

Senators Carlton, Hampton and Stanford = (3)

No election being had the Senate proceeded to ballot the Twenty-ninth time, & then the following Senators voted for

Senator Judkins

Senators Crowley, Grantt, Harris, Mitchell, Pennington, Reid, Terry, Thornton, Whittington and Williams = (10)

For Senator Kerr

Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mulkey, Tipton and Williams = (4)

For Senator Tipton

Senators Judkins, Kerr, Rutherford and Watson = (4)

For Senator Ferguson

Senators Watkins and White = (2)

For Senator Watkins

Senator Ferguson = (1)

Absent & not voting Senators

Carlton, Hampton & Stanford = (3)

No election being had the Senate proceeded to ballot the Thirtieth time when the following Senators voted as follows

For Senator Judkins

Senators Crowley, Grantt, Harris, Mitchell,

Pennington, Reid Perry, Thornton Whittington and Williams=(10)

For Senator Kerr

Senators Armistead Boyd Chism Duffie, Duncan Gatewood Hanna Hill Mulkey Tipton and Wilson=(11)

For Senator Tipton Senators Jenkins, Kerr, Rutherford and Watson=(4)

For Senator Ferguson Senators Watkins and White=(2)

For Senator Watkins

Absent and not voting Senators Carlton, Hampton and Stanford=(3)

No election being had the Senate proceeded to ballot the thirty first time, when the following senators voted as follows

For Senator Jenkins

Senators, Crowley, Grantt, Harris, Mitchel Pennington, Reid, Perry, Thornton Tipton and Whittington and Williams=(11)

For Senator Kerr

Senators Armistead Boyd, Chism, Duncan Gatewood Hanna, Hill, Mulkey and Wilson=(9)

For Senator Tipton

Senators, Duffie, Jenkins, Kerr, Rutherford and Watson=(8)

And for Senator Ferguson

Senators, Watkins and White=(2)

For Senator Watkins

Senator Ferguson=(1)

Absent & not voting

Senators Carlton Hampton and Stanford (3)

And no election being had the senate proceeded to ballot the thirty-second time, when the following senators voted

For Senator Jenkins= Senators Crowley, Grantt Harris, Mitchel, Pennington, Reid, Perry, Whittington, Williams - 9

For Senator Kerr= Armistead, Boyd, Chism, Duffie Duncan, Gatewood, Hanna, Hill, Mulkey, Tipton, Wilson - 11.

For Senator Tipton = Senators Jenkins, Kerr, Rutherford Watson – 4

For Senator Ferguson = Senators Watkins and White – 2 x

For Senator Watkins = Senator Ferguson – 1

For Senator White = Senator Thornton x

Absent and not voting = Senators Carlton, Hampton and Stanford – 3 x

Senator McKay moved to take a recess until 6 o'clock p.m.

Which motion was lost x

And then the Secretary proceeded to call the roll for the Thirty-third ballot, when the following named senators voted:

For Senator Jenkins = Senators Connolly, Gantt, Harris, Mitchell Reid, Terry Tipton Whittington – 8 x

For Senator Kerr = Senators Armistead, Boyd, Chism, Duncan, Gatewood, Harma, McKay, Nilson – 8 x

For Senator Tipton = Senators Duffie Jenkins Kerr, Pennington, Rutherford, Watson – 6

For Senator Ferguson = Senators Watkins and White – 2

For Senator Watkins = Senator Ferguson – 1 x

For Senator Mitchel – Senators Hill, Thornton, Williams – 3 x

Absent and not voting Senators Carlton, Hampton, Stanford – 3

And no Election being had the Senate proceeded to ballot the Thirty-fourth time, when the following Senators voted

For Senator Judkins: Senators Crowley, Gantt, Harris, Mitchel, Pennington, Reid, Terry and Whittington — 8.

For Senator Kerr: Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hamma, Hill, Mulkey, Tipton and Wilson — 11.

For Senator Tipton: Senators Judkins, Kerr, Rutherford, Watson — 4.

For Senator Ferguson: Senators Watkins, White and Williams — 3.

For Senator Watkins: Senator Ferguson — 1

For Senator Mitchel: Senator Thornton — 1.

Absent and not voting were Senators Carlton, Hampton and Stanford — 3.

And no election being had the Senate proceeded to ballot the Thirty-Fifth time, when the following named senators voted

For Senator Judkins: Senators Crowley, Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton, Tipton, Whittington — 10.

For Senator Kerr: Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hamma, Mulkey, Wilson — 9.

For Senator Tipton: Senators Judkins, Kerr, Rutherford, Watson — 4.

For Senator Ferguson: Senators Watkins, White, Williams — 3.

For Senator Watkins: Senator Ferguson — 1

For Senator Williams: Senator Hill — 1.

Absent and not voting = Senators Carlton, Hampton and Stanford — 3 x

And no election being had the Senate proceeded to ballot the Thirty-sixth time, when the following named senators voted for

For Senator Judkins = Senators Crowley, Gantt, Harris, Mitchel, Pennington, Reid, Terry, Thornton, Tipton, Whittington, Williams — 11 x

For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Keill, Muckey, Wilson — 10 x

For Senator Tipton = Senators Judkins, Kerr, Rutherford, Watson — 4 x

For Senator Ferguson = Senators Watkins and White — 2 x

For Senator Watkins = Senator Ferguson — 1 x

Absent and not voting = Senators Carlton, Hampton, Stanford — 3 x

And none of the Senators having received a majority of the votes cast there was no election x

Senator Mitchel moved to take a recess until 4 o'clock p.m. which motion was lost x

Senator Watkins nominated Senator Duffie for President,

Whereupon Senator Pennington was called to the Chair, and the secretary proceeded to call the roll for the Thirty-seventh ballot when the following named Senators voted

For Senator Judkins = Senators, Crowley, Gantt, Harris, Mitchel, Reid, Terry, Tipton, Williams — 8 x

For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mickey, Wilson — 10 x

For Senator Tipton = Senators Jadkins, Kerr, Rutherford, Watson — 4 x

For Senator Duffie = Senators Ferguson, Pennington, Thornton, Watkins and Whittington — 5

Absent and not voting = Senators Carlton, Hampton and Stanford — 3 x

And no election being had, the Senate proceeded to ballot the Thirty-Eighth time, when the following senators voted

For Senator Jadkins = Senators Crowley, Harris, Reid, Terry, Williams — 5 x

And for Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mickey, Tipton and Wilson — 11 x

And for Senator Tipton = Senators Jadkins, Kerr, Rutherford, Watson — 4 x

And for Senator Ferguson = Senator White — 1 x

And for Senator Duffie = Senators Ferguson, Gantt, Mitchel, Pennington, Thornton, Watkins, Whittington — 7 x

Absent and not voting = Senators Carlton, Hampton, Stanford — 3 x

And no election being had the Senate proceeded to ballot the Thirty-Ninth time, when the following named Senators voted

For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Mickey, Rutherford, Wilson — 11 x

For Senator Judkins = Senators Crowley, Harris, Mitchel, Reid, Tipton and Williams – 6 x

For Senator Tipton = Senators Judkins, Terry and Watson – 3 x

For Senator Ferguson = Senator White – 1 x

For Senator Luffi = Senators Ferguson, Gantt, Kerr, Pennington, Thornton Watkins Whittington – 7 x

Absent and not voting = Senators Carlton, Hamilton, Stanford – 3 x

Total number of votes cast 28 x

Necessary to a Choice 15 x

And no one of the candidates having received a majority of the votes cast there was no election x

Senator White moved that the Senate take a recess until 4 o'clock p.m.

Which was agreed to x

After Recess x

The Senate reconvened at 4 o'clock p.m. and the roll being called it was found that the following named members were present, and answered to their names viz:

Senators Armistead, Chism, Crowley Duffie Duncan Gatewood, Gantt, Hanna, Harris, Hill, Judkins, Kerr, Mitchel, Nickley, Pennington, Reid, Terry, Thornton Tipton Watson, White, Whittington Williams, Wilson x

And a quorum being announced the Secretary proceeded to call the on the Fortieth ballot, when the following named Senators voted –

For Senator Jenkins = Senators Crowley, Harris, Mitchel, Reid, Terry, Mitchel — 6x

And for Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Muckey, Wilson — 9x

And for Senator Tipton = Senators Judkins and Watson — 2x

And for Senator Ferguson = Senator White — 1x

And for Senator Duffie = Senators Gantt, Kerr, Pennington, Thornton, Tipton and Whittington — 6x

Absent and not voting = Senators Carlin, Ferguson, Hampton, Rutherford, Stanford and Watkins — 6x

Senator Watkins appeared within the bar of the senate and answered to his name.

And no election being had, the Senate proceeded to the Forty-first ballot, when the following named Senators voted

For Senator Judkins = Senators Crowley, Harris, Mitchel, Reid, Terry, Tipton, and Williams — 7x

And for Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gatewood, Hanna, Hill, Muckey, and Wilson — 10x

And for Senator Tipton = Senators Judkins, Rutherford and Watson — 3x

And for Senator Ferguson = Senator White — 1

And for Senator Duffie = Senators Gantt, Kerr, Pennington, Thornton and Whittington — 5x

Absent and not voting = Senators Carlton, Ferguson, Hampton, Stanford and Watkins — 5x

And no election being had, the Senate proceeded to the Forty-second ballot, when the following Senators voted —

For Senator Jenkins = Senators Crowley, Harris, Reid, Terry, Tipton, and Williams — 6x

And for Senator Kerr = Senators Armistead Boyd Chism, Duffie Duncan, Hanna Heill Mickey Wilson — 9x

And for Senator Tipton = Senators Jenkins and Watson — 2x

And for Senator Ferguson = Senator White — 1x

And for Senator Duffie = Senators Gantt, Gatewood, Kerr, Mitchel, Pennington, Rutherford, Thornton, Watkins Whittington — 9x

Absent and voting = Senators Carlton Ferguson, Hampton, Stanford — 4x

Senator White withdrew the name of Senator Ferguson x

And there being no election, the Senate then proceeded to the Forty Third ballot, when the following Senators voted —

For Senator Jenkins = Senators Crowley, Harris, Reid, Terry, Tipton, Wilson — 6x

For Senator Kerr = Senators Armistead, Boyd, Chism, Duffie, Duncan, Heill, Mickey Wilson — 8x

For Senator Tipton = Senators Jenkins and Watson — 2x

For Senator Ferguson = Senator White — 1x

For Senator Duffie = Senators Gantt, Gatewood, Hanna, Kerr, Mitchel, Pennington, Rutherford, Thornton, Watkins, Whittington — 10x

Absent and not voting, Senators Carlton, Ferguson, Hampton, and Stanford — 4x

And there being no election, the Senate proceeded to cast the Forty-fourth ballot when, it appeared, the following named Senators voted -

For Senator Judkins:
Senators, Crowley,
Harris,
Hill,
Reid and
Tipton — 5x

For Senator Kerr:
Senators Armstead,
Chism,
Duffie
Gatewood
Mackey and
Williams — 6x

For Senator Tipton:
Senators Judkins and
Watson — 2x

For Senator Duffie:
Senators Boyd,
Duncan,
Gantt,
Hanna,
Kerr,
Mitchel,
Pennington,
Rutherford
Terry,
Thornton
Watkins
White,
Whittington
Williams — 14.

Absent and not voting: Senators Carlton, Ferguson, Hampton Stanford — 4x

Total number of votes cast --- 27
Necessary to a choice --- 14

Recapitulation of the Forty-fourth and final ballot for President:

J. R. Judkins — 5
R. T. Kerr — 6
H. C. Tipton — 2
W. W. Duffie — 14

And Senator Duffie having received a majority of all the votes cast, was, thereupon, declared duly elected President of the Senate.

On motion of Senator Thornton, a committee of three, consisting of Senators Tipton, Judkins and Kerr, to whom were added Senators Thornton and Ferguson, was appointed to conduct the President elect to the chair, which duty being performed President Duffie, after returning thanks to the Senate, took the oath of office, administered ~~administered~~ by associate Justice Wm. M. Harrison, and entered upon the discharge of his duties.

Nominations for Secretary of the Senate, being declared next in order, the following names were placed in nomination, viz:

W. B. Pearce,
Lou T. Kritschmar and
W. S. Holmes.

The Secretary then, proceeded to call the roll for the first ballot, when the following Senators voted -

For W. B. Pearce: Senators, Armistead, Boyd, Chism, Hanna, Kerr, Rutherford, Tipton, Watkins, Williams, Wilson — 10.

For Lou T. Kritschmar: Senators Crowley, Duncan, Gantt, Gatewood, Harris, Hill,

Judkins, Mitchel, McCluy, Pennington, Terry and Watson — 12 x

For W. D. Holmes = Senators Duffie, Reid, Thornton white Whittington — 5 x

Absent and not voting = Senators Carlton, Ferguson, Hampton, Stanford — 4 x

And no one of the candidates having received a majority of all the votes cast there was no election x

Senator Ferguson appeared in his seat, and answered to his name x

And then, the secretary proceeded to call the roll for the second ballot, when the following Senators voted -

For W. B. Pearce = Senators = Armistead Chism Ferguson, Hanna, Kerr, Rutherford, Tipton, Watkins, Williams, and Wilson — 10 x

For Lon T. Kretschmar = Senators Boyd, Crowley, Duncan, Gantt, Gatewood, Harris Hall, Judkins Mitchel, McCluy, Pennington, Terry, Watson — 13

For W. D. Holmes = Senators Duffie, Reid, Thornton, White, Whittington — 5 x

Absent and not voting = Senators Carlton, Hampton, and Stanford — 3 x

And no election being had the Senate proceeded to the Third ballot for Senator, when it appeared the following Senators voted -

For W. B. Pearce = Senators Armistead, Chism, Ferguson, Hanna Kerr Rutherford, Tipton Watkins, Williams and Wilson — 10 x

For W. T. Kretschmar = Senators Boyd, Crowley, Duncan, Gantt, Gatewood,

Harris, Hill, Jackins, Mitchel, Mulky Pennington, Reid, Terry, Watson — 14x

For Mr. Holmes = Senators Duffie Thornton, white Whittington — 4x

Absent and not voting = Senators Carlton, Hampton, and Stanford — 3x

And no election being had the Senate proceeded to the Fourth ballot, when it appeared that the following named Senators voted -

For N. B. Pearce = Senators Armistead Chism Ferguson, Harma, Kerr, Tipton Watkins Wilson — 8

For Lou. T. Kretschman = Senators Boyd, Crowley, Duncan, Gantt, Hatwood, Harris, Hill, Jackins, Mitchel, Mulky Pennington, Reid Rutherford, Terry, Watson White and Williams — 17x

For N. D. Holmes = Senators Duffie Thornton and Whittington — 3

Absent and not voting = Senators Carlton Hampton and Stanford — 3x

Recapitulation of the final vote for Secretary of the Senate =

N. S. Holmes	3
N. B. Pearce	8
Lou T. Kretschman	17

Total number of votes Cast — 28
Necessary to a choice — 15

And Mr Lou T. Kretschman having received a majority of all the votes, he was, by the President, declared duly elected Secretary of the Senate x He then took the oath of office administered by Associate Justice Wm H. H. Harrison, and entered upon the discharge of his duties x

On motion the senate then proceeded to the election of an Assistant Secretary and the following named were placed in nomination, viz

T. J. Hicks
W. A. Fatheley
C. H. Wood
J. C. Hanna

The Secretary proceeded to call the roll for the First ballot, when it appeared that the following Senators voted -

For T. J. Hicks = Senators Gatewood — 1.

For Wm. Fatheley = Senators Armistead, Boyd, Chism, Duffie, Duncan, Gantt, Harris, Judkins, Mitchell, Pennington, Reid, Terry, Cohito Whittington and Williams — 15

For C. H. Wood: Senators Crowley, Ferguson, Mickey, Rutherford, Thornton — 5

For J. C. Hanna = Senators Hanna Heill, Kerr, Tipton, Watkins, Watson and Wilson — 7

Absent and not voting = Senators Carlton Hampton and Stanford — 3

And Mr. Fatheley having received a majority of all the votes cast was, by the President, declared duly elected Assistant Secretary of the Senate, and having taken the oath of office, administered to him by Justice Wm M. Harrison, entered into the discharge of his duties

On motion the Senate then proceeded to the election of a Sergeant at arms, when the following named were placed in nomination,

Robert Harris
Davis Johnson, Berry, Hendrix Roberts Leonard and Kirk

The roll being called the following Senators voted for Robert Harris.

Senators Duffie, Gantt, Mitchell & Reid = 4

And for Harris
Senators Crowley, Harris, Jackson
Thornton and Williams = 5
And for Davis Senators
Gatewood, Terry and Wilson = 3.
And for Johnson
Senators Dudley and Rutherford = 2
And for Berry
Senators Armistead, Chism, Hill, Kerr, Tipton
and Watkins = 6
And for Hendricks Senators
Boyd and Watson = 2
And for Roberts Senators
Ferguson and White = 2
And for Leonard Senators
Duncan and Hanna = 2
And for Kirk Senators
Pennington and Whittington = 2
Absent and not
voting Senators Carlton, Hampton & Stanford = 3

No election being had the Senate proceeded to ballot (2)
the second time when the following named Senators voted

For Nabors Senators Mitchell and Reid = 2

And for Harris Senators Harris, Jackson
Thornton and Williams = 4
And for Davis
Senators Gantt, Gatewood and Terry = 3
And for
Johnson Senators Dudley, Rutherford and
Wilson = 3
And for Berry Senators
Armistead, Chism, Crowley, Kerr, Tipton and
Watkins = 6
And for Hendricks Senators Boyd
and Watson = 2
And for Roberts Senators
Duffie, Ferguson, Hill and White = 4
And for
Leonard Senators Duncan and Hanna = 2
And for
Kirk Senators Pennington and Whittington = 2
Absent and not
voting Senators Carlton, Hampton & Stanford = 3

No election being had

The Senate proceeded to ballot the third time when the following Senators voted

For Nabors Senators Mitchell and Reid — 2

And for Harris Senators Crowley, Harris, Jenkins, Perry & Thornton — 5

And for Davis Senator Patterson — 1

And for Johnson Senators Duncan, Hanna and Neeley — 3

And for Berry Senators Armistead, Boyd, Chisum, Kerr, Rutherford, Tipton, Watkins and Wilson — 8

And for Gordon Senator Watson — 1

And for Roberts Senators Duffie, Ferguson, Gault, Hill, White and Williams — 6

And for King Senators Pennington, Rutherford and Whittington — 3

Absent and not voting Senators Carlton, Hampton and Stanford — 3

No election being had the Senate proceeded to ballot the fourth time when the following Senators voted for Nabors Senators Mitchell and Reid — 2

And for Harris Senators Crowley, Harris, Jenkins, and Thornton — 4

And for Johnson Senators Duncan, Hanna and Neeley — 3

And for Berry Senators Armistead, Boyd, Chisum, Kerr, Tipton, Watkins and Wilson — 7

And for Gordon Senator Watson — 1

And for Roberts Senators Duffie, Ferguson, Gault, Hill, White, and Williams — 6

And for King Senators, Pennington, Rutherford and Whittington — 3

Absent and not voting Senators Carlton, Hampton and Stanford — 3

No election being had the Senate proceeded to ballot the fifth time. When the following Senators voted

For Nabors Senators Mitchell and Reid — 2

Aye for Harris Senators Crowley, Harris Jeanine, Rutherford and Thornton = 5

Aye for Davis Senators Boyd, Gantt, Gatewood and Berry = 4

Aye for Johnson, Senator Mulkey - 1

Aye for Berry Senators Armistead Wilson, Duncan, Garrard, Kerr Pipkin, Watkins and Watson = 8

Aye for Goodwin Senator Watson - 1

Aye for Roberts Senators Duffie, Ferguson, Hill, White and Williams = 5

Aye for Kirk Senators Dennington and Whittington = 2

Absent and not voting Senators Carlton, Hampton and Stanford = 3

No election being made the Senate proceeded to ballot the Sixth time when the following Senators voted

For Nabors Senators Gantt Mitchell and Reid = 3

Aye for Harris Senators Crowley, Harris, Jeanine, Rutherford, Berry and Thornton = 6

Aye for Davis Senator Gatewood = 1

Aye for Johnson Senator Mulkey = 1.

Aye for Berry Senators Armistead, Wilson, Duncan, Garrard, Kerr, Pipkin, Watkins and Wilson = 7

Aye for Goodwin Senator Watson = 1

Aye for Roberts Senators Duffie, Ferguson, Hill, White and Williams = 5

Aye for Kirk Senators Boyd, Dennington and Whittington = 3

Absent and not voting Senators Carlton, Hampton and Stanford = 3

No election being made the Senate proceeded to ballot the Seventh time when the following Senators voted

For Nabors Senators Mitchell and Reid = 2

Aye for Harris Senators Crowley, Gantt, Harris and Jeanine = 4

Aud for Davis Senator

Berry = 1

For Johnson For Berry

Senators Armistead, Boyd, Chism, Duncan, Gatewood, Hanna, Kerr, Rutherford, Tipton, Watkins, Watson and Wilson = 12

Aud for Roberts Senators

Buffin, Ferguson, Hill, White and Williams = 4

Aud for Hill

Senators Pennington and Whittington = 2

Absent and not voting Senators Carlton, Hampton and Stanford = 3

The name of Mr Jenkins was withdrawn and the Secretary proceeded to call the roll the eighth time when the following Senators voted for Nelson. Senators Mitchell and Reid = 2

Aud for Harris

Senators Crowley, Harris, Jenkins and Thornton = 4

Aud for Davis

Senator Berry = 1

Aud for Johnson

Senator Mulkey = 1

Aud for Berry Senators

Armistead, Chism, Duncan, Gantt, Hanna, Kerr, Rutherford, Tipton, Watkins, Watson and Wilson = 11

Aud for Roberts Senators

Buffin, Ferguson, Hill, White and Williams = 5

Aud for Hill, Senators

Boyd, Gatewood, Pennington and Whittington = 4

Absent and not voting

Senators Carlton, Hampton and Stanford = 3.

No election being had the Senate proceeded to ballot the ninth time when the following Senators voted for Harris. Senators, Crowley, Harris and Thornton = 3

Aud for Berry Senators

Armistead, Boyd, Chism, Duncan, Hanna, Kerr, Mitchell, Mulkey, Rutherford, Tipton, Watkins, Watson and Whittington = 13

Aud for Roberts

Senators, Buffin, Ferguson, Gantt, Gatewood, Hill, Harris, Jenkins, Reid, Berry, White, Williams = 12

Aud for Hill

Senator Pennington = 1

Absent and not voting Senators Carlton, Hampton and Stanford

The names Yates Sevier and Leonard were withdrawn and the Secretary proceeded to call the roll the tenth time when the following Senators voted for Harris Senators Harris and Thornton – 2

And for Berry Senators Armisted, Chism, Crowley, Duncan, Hanna, Kerr, Mitchell, Mullay, Rutherford, Tipton, Watkins, Watson and White – 13

And for Roberts Senators Boyd, Duffie, Ferguson, Gantt, Gatewood, Hill, Jacoway, Reid, Perry, Whittington and Williams – 12

And for Kirk Senator Pennington – 1

Absent and not voting Senators Carlton, Hampton and Stanford – 3

The name of Mr Kirk was withdrawn and the Secretary proceeded to call the roll the eleventh time when the following Senators voted for Harris, Senators Chism and Harris – 2

And for Berry Senators Armisted, Boyd, Duncan, Hanna, Kerr, Mullay, Tipton, Watkins, Watson and White – 11

And for Roberts Senators Duffie, Ferguson, Gantt, Gatewood, Hill, Jacoway, Pennington, Reid, Rutherford, Perry, Thornton, Whittington and Williams – 16

Absent and not voting Senators Carlton, Hampton and Stanford – 3

Mr. Roberts having received a majority of all the votes cast, was by the president declared duly elected Sergeant at arms of the Senate and taken the oath of office. On motion of Senator Gatewood a committee of three consisting of Senators Gatewood, Kerr, and Pennington was appointed to wait upon the House and inform them that the Senate has now organized and ready for the transaction of business.

A committee from the House reported that the House was organized and ready for the transaction of business.

Nominations for Door Keeper being declared in order the names of Messrs. Scott, Love, Dillard, Wilder and Raglan were placed in nomination and the Secretary proceeded to call the roll for the first time when the following Senators voted

For Messrs

Senator Duncan = 1

For Low Senators

Armistead, Chism, Ferguson, Hanna, Hill, Sterr, Turley, Rutherford, Tipton, Watkins, Watson, Wilson & Williams = 13

For Scott

Senators, Boyd, Duffie, Gantt, Mitchel, Reid and White = 6

For Dillard Senators

Crowley, Harris, Judkins = 3

And for Wheeler

Senator Terry = 1

For Ragland Senators

Gatewood, Thornton and Whittington = 3

Absent and not voting

Senators Carlton, Hampton and Stanford = 3.

No election being

had the Senate proceeded to ballot the second time when the following Senators voted for

Mary Senator Duncan = 1

For Low Senators Armistead, Chism, Ferguson, Hanna, Hill, Judkins, Sterr, Turley, Bennington, Rutherford, Tipton, Watkins, Watson, Williams and Wilson = 15

For Scott Senators

Boyd, Duffie, Gantt, Mitchel, Reid, Terry and White = 7

For Dillard Senators Crowley and Harris = 2

For Ragland Senators Gatewood, Thornton, and Whittington = 3

Mr Low having received a majority of all the votes cast, was by the President declared duly elected Door keeper of the Senate.

On motion of Sen — the offices of Enrolling and Engrossing Clerk were consolidated,

Nominations for Enrolling and Engrossing Clerk being in order the names of Mrs Mary B. Munnell, A. L. Judkins, and Thad C. Atkins were put in nomination, and the Secretary proceeded to call the roll for the first time when the following Senators voted for Mrs Munnell, Senators Armistead, Duncan, Ferguson, Gatewood, Hanna, Harris, Hill, Mitchel, Bennington, Reid, Rutherford, Terry, and Wilson = 15

For Judkins

Senators Boyd, Chism, Crowley, Judkins, Thornton, Tipton, Watkins and Watson = 8

For Atkins

Senators Duffie Hill Kerr Imlay White Whittington and Williams = 7

Absent and not voting Senators Carlton Hampton and Stanford = 3

No election being had the Senate proceeded to ballot the second time when the following Senators voted for

Mr Murrell Senators Armistead Boyd Duncan Ferguson Gatewood Hanna Harris Hill Mitchell Pennington Reid Rutherford Perry and Wilson = 14

For Judkins Senators Chism Crowley Grantt Jackins Thornton Tipton Watkins and Watson = 8

For Atkins Senators Duffie Kerr Imlay White Whittington and Williams = 6

Absent and not voting Senators Carlton Hampton and Stanford = 3

No election being had the Senate proceeded to ballot the third time when the following Senators voted for

Mrs Murrell Senators Armistead Boyd Chism Duncan Ferguson Grantt Gatewood Hanna Harris Hill Mitchell Pennington Reid Rutherford Perry White and Wilson = 14

For Judkins Senators Crowley Judkins Thornton Tipton and Watkins = 5

For Atkins Senators Duffie Imlay Whittington and Williams = 4

Absent and not voting Senators Carlton Hampton and Stanford = 3

Mrs Mary B. Murrell having received a majority of all the votes cast was by the President declared duly elected Engrossing and Enrolling Clerk of the Senate. and was sworn into office according to law

Nominations for Chaplain being next in order the names of Messrs Buchanan and Caldwell Presbyterian were put in nomination, and the Secretary proceeded to call the roll for the first time when the following Senators voted for Buchanan

Senators Armistead Boyd Chism Crowley Ferguson Gatewood Hanna Harris Hill Jackins Kerr Rutherford Perry Tipton Watkins Whittington and Wilson = 18

For Caldwell Senators Duffie Duncan Grantt Pennington Reid Thornton White and Williams = 8

For Forbes Senators Mitchel and Muncy = 2
Absent and not voting Senators Carlton, Hampton and Stafford = 3

Mr Buchanan having received a majority of all the votes cast was by the President declared duly elected Chaplain of the Senate

On motion of Senator Jenkins the Chaplain entered upon the duties of his office without taking the oath of office

Senator White moved to adjourn until tomorrow morning at 9 O'clock, which motion was lost

Senator Terry moved that the election of Pages of the Senate postponed until tomorrow and that the Senate proceed to elect a Journal Clerk, which was lost

Senator Gatewood moved that the Senate proceed to elect two pages which was agreed to

On motion of Senator Boyd it was adopted that the pages be elected one at a time

Senator Watson moved to reconsider the motion to elect the Pages, which was agreed to.

Senator White moved that the President appoint two pages which was agreed to

Senator Duncan moved that the Senate proceed to elect one janitor

Senator Watson moved as a substitute that the door keeper appoint a janitor which was agreed to

Senator Boyd moved that the Sergeant at Arms appoint a janitor which was agreed to

Senator White moved that the Senate elect a Journal Clerk

Senator Jenkins moved to abolish the office of Journal Clerk, which was amended by

Senator Watson that the office of Journal Clerk be dispensed with at present (lost)

Senator Pennington moved that the Senate adjourn until 10 o'clock to morrow morning which was carried and the Senate then adjourned

M. M. Duffie
President of the Senate

Attest Lew T. Kelsey

Senate Chamber
Little Rock Arkansas
January the 14th 1879

The Senate met pursuant to adjournment at 10 O'clock A.M. The Secretary proceeded to call the roll and the following Senators answered to their names viz Senators

Armistead
Bryd Cline, Crowley Duncan, Ferguson Garrett
Gatewood Hanna Hays Hill Jadkins Kerr Mitchell
McKey Pennington Reix, Rutherford Perry, Thornton
Tipton Watson, White Whittington Williams Wilson
and the President. = 27

Absent Senators
Carlton, Hampton and Stanford 3

A quorum being present the Senate proceeded to business.

Prayer was then offered by the Chaplain Rev S. H. Buchanan.

The Secretary proceeded to read the Journal of the preceding day whereupon Senator Jadkins moved the reading of the ballot, such as related to the balloting for the different offices be dispensed of; the motion prevailed. After reading of the Journal the Journal was approved

Senator Watson as Chairman of the Committee appointed to wait upon the Governor reported that the committee had conferred with the Governor and were instructed by him to say that his message would be promulgated to the Legislature at eleven O'clock A.M. to morrow; the report was received and the Committee discharged. The President announced that he had appointed as Pages for the Senate Master Thomas Thornton and George E. Cunningham

The President then announced the following Standing Committees

Committee on Judiciary. Senators Wilson Jackins Whittington Mitchell Gatewood Perry and Watson

Committee on finance
Senators Kerr, Garrett, Hill, Hanna Bryd and White

Committee on Militia Senators White Hill, Whittington Armistead and Duncan

Committee on Education
Senators Tipton Thornton, Watkins Williams and Stanford

Committee on Rail Roads and other improvements Senators Whittington Grant Chism Finney and Crosby.

Committee on Agriculture Senators Ferguson Harris Pennington Reid and Rutherford

Committee on County and County lines, Senators Pennington Grant Watson Hanna and Harris

Committee on public Roads, Senators Chism Wilson. William Watkins and Mitchell

Committee on Election Senators Hampton Armistead Boyd Duncan and Tipton.

Committee on public buildings, Senators Finney Pennington Terry Reid and Ferguson.

Committee on Memorials Senators Armistead Williams Stanford Rutherford and Thornton.

Committee on expenditures Senators Harris Carlton Rutherford Watkins and Rex

Committee on Federal relations Senators Grant Williams Watson Reid and Boyd

Committee on State lands Senators Mitchell Hanna Crosby Carlton and Judkins

Committee on Auditors and Treasurers Accounts Senators Judkins Hampton Garwood Hill Wilson Carlton and Finney

Committee on Claims Senators Garwood Duncan Chism Rex and Pennington

Committee on Franchise Senators Reid Stanford Wilson Ferguson and White

Committee on Engrossed bills Senators Tipton Boyd Terry and Whittington

Committee on Enrolled bills Senators Hill Rex Thornton Tipton and Mitchell

Committee on Corporations Senators Terry Rutherford Harris Hanna and Armistead

On motion Senator Williams

was added to the committee on Judiciary

Senator Chism presented the following Memorial, To the Honorable, the Senate and House of Representatives of the State of Arkansas, Your Memorialists, would respectfully represent that at a regular meeting of the Logan County Medical society held at Magazine, Arkansas, December the second 1878 they were by unanimous consent appointed a committee to memorialize the General Assembly of the State of Arkansas, at the next session for the establishment of a State ~~Journal~~ Board of Health

The late visitation of yellow fever in the South has shown at once the need and the utility of proper measures for the preservation of the public health and protection of the people from epidemic pestilence. There can be no reasonable doubt that, but for the timely and judicious action of the Board of Health of the City of Little Rock, the fever would have reached the City and there it would probably have radiated along the lines of travel and commerce, to various cities.

On motion the Memorial was referred to the Committee on Memorials.

Senator Ferguson then moved to reconsider the resolution adopted yesterday authorizing the Sergeant at Arms to appoint a Janitor. Whereupon Senator Boyd rose to a point of order that the motion of Senator Ferguson was out of order. The President decided the point of order not well taken.

Senator White appeared and announced to his name.

A vote being taken upon the motion of Senator Ferguson it was adopted.

The resolution authorizing the Sergeant at Arms to appoint a janitor was lost.

Senator Ferguson then offered the following resolution, Resolved that the Senate require the Door Keeper to perform the duties of a Janitor during the present session of the General Assembly.

Senator Jennings as a substitute, Resolved that the Senate do now proceed to elect a Janitor. The resolution was accepted.

Senator White moved to postpone the election of Janitor until to morrow at 10 o'clock A.M.

Senator Warren rose to a point of order which was that the motion of Senator White was out of order. The President decided the point of order well taken.

The names of John Warner and R. C. Jordan were placed in nomination

The Secretary proceeded to call the roll and the following named Senators voted for Warner

Senators Armistead Boyer, Chism, Crowley, Duncan, Gatewood, Hanna, Harris, Hill, Jackson, Kerr, Mitchell, Nelson, Pennington, Reid, Rutherford, Thornton, Tipton, Walton, White, Whittington, Williams and Wilson = 22

For Jordan Senators Boyd, Hautt, Perry and the President = 4

Senators Ferguson and Watkins were excused from voting = 2

Absent and not voting Senators Carlton, Hamylton and Stafford = 3

John Warner having received a majority of all the votes cast was by the President declared duly elected Janitor of the Senate

Senator White moved that John Warner be notified of his election as Janitor and that he be excused from taking the oath of office which was agreed to

Senator Kerr moved that Secretary provide desks and invite the members of the press to seats within the bar of the Senate. Senator Thornton moved to amend by extending the invitation to State officers. The amendment was accepted and the resolution adopted

Senator White moved that the Secretary be instructed to provide each member of the Senate with a copy of the rules of the Senate

Senator Thornton moved as a substitute that a committee of five be appointed to draft new rules

Senator Jennings moved as an amendment to the substitute that the Senate adopt the old rules of the House

The motion of Senator Thornton prevailed

And the President appointed Senators Thornton Wilson, Harris, Dundas and Hill on said committee

Senator Chism offered the following resolution.

Resolved That the Secretary of the State be requested to furnish for the use of the Senate (if the same be in his office) Copies of the Constitution, Gaults digest and the Acts of the General Assembly of the year 1874-1875 and 1876 and the acts of 1877, the books furnished under this resolution to be returned to the Secretary of State upon the adjournment of the General Assembly

Senator Gatewood moved to amend by adding the acts of the extra session of the year 1874. The amendment was accepted and the ~~amendment~~ resolution adopted

Senator Judkins moved that a committee of three be appointed to confer with a committee of the house as to the drafting of joint rules. The motion was adopted and the following named Senators were appointed. Senators. Judkins Mitchell, and Mattkins

Senator Kew moved that the Secretary of the Senate get one hundred copies of the old rules of the Senate printed for the use of the members of the Senate before the report of the committee ~~xx~~ appointed to draft ~~new~~ rules" made. The resolution was adopted

On motion of Senator Judkins Senator White was added to the Committee on Election

On motion of Senator White Senator Ferguson was added to the Committee on Finance

Senator Gatewood moved that the President appoint a Committee of three to wait upon the Governor and inform him that the Senate was ready to receive his message

The motion was adopted and the President appointed as said Committee Senators Gatewood Crutchfield and Ferguson

Senator Pennington moved that the Secretary inform the house that the Senate was ready to meet in joint session. The motion was lost

Senator Judkins moved that the Senate take a recess for fifteen minutes which was agreed to

After Recess Senator

Galewood, Chairman of the Committee appointed to wait upon the Governor, reported that he was instructed by the Governor, to inform the Senate that he was ready to meet the Joint Session of the General Assembly. The report was received upon motion of Senator Judkins

Senator Tipton moved that the Senate now proceed to elect a Journal Clerk. The motion prevailed

Senator Carlton appeared, answered to his name and was qualified according to law

Nominations for Journal Clerk being in order the names of Miss S. Crane, A.L. Judkins, Dan Q. Sullivan and D.L. Bransford were put in nomination.

The Secretary proceeded to call the roll and the following Senators voted for Miss Crane

Senators Armstrong, Carlton, Duncan, Grant, Pennington, Perry, Walton, White and Wilson = 9

For Judkins, Senators Colvin, Crowley, Hamm, Harris, Hill, Jackson, Mitchell, Nuckles, Reid, Rutherford, Thornton, Tipton, Watkins, Whittington, Williams and the President = 16

For Sullivan, Senator Boyd = 1

For Bransford, Senator Galewood

Absent and not voting Senators Hampton, Kerr and Stanford 3

Senator Ferguson was excused from voting = 1

A.L. Judkins having received a majority of all the votes cast was declared by the President duly elected Journal Clerk of the Senate and appeared and received the oath of office according to law

On motion it was ordered that the Sergeant-at-arms act as Post-Master for the Senate

Senator Judkins offered the following resolution

Resolved that the Secretary of the Senate notify the House of Representatives that the Senate will be ready to repair to

the House of Representatives at 2 O'clock and 20 minutes P.M. for the purpose of receiving the Governors Message.

The resolution was withdrawn upon motion it was ordered that the Senate take a recess until 2 O'clock P.M.

The hour of 2 O'clock P.M. having arrived the Senate was called to order and the roll being called it was found that a quorum was present.

Senator Judkins moved that the name of Senator Crowley be added to the committee on Judiciary. Which motion was adopted.

Senator White moved that Senators Crowley Jourdan and Thornton be added to the Committee on finance Which was adopted.

On motion of Senator Armistead Senator Chism was added to the Committee on Militia

The President announced the names of the following as Committee on Penitentiary Senators Crowley, White, Reid, Carlton and Harris

On motion of Senator White the Senate adjourned until 10 O'clock to morrow morning

J. H. Kerr Secy

M. M. Duffie
Permanent Secretary of the Senate

Senate Chamber
Little Rock Ark
January 15 1879

The Senate met pursuant to adjournment at 10 O'clock A.M. The roll was called and the following Senators answered to their names Senators Armistead, Carlton, Chism, Crowley, Duncan, Hargraves, Hartt, Gatewood, Hanna, Harris, Hill, Jourdan, Mitchel, Judkins, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Wilson, Whittington, Williams and the Speaker = 28 Quorum present

Absent Senators Baya, Hampton, Kerr, White and Wilson = 5

Prayer was offered by Rev S. H. Buchanan Chaplain

Sen Wilson moved that ex Senator Campbell be invited to a seat within the bar of the Senate

Senator Crowley moved that the Courtesy of the Senate

be excused to Ex Senator Brown

The Journal of the preceding day was read corrected and approved

On motion of Senator Kerr the Secretary was directed to inform the House of Representatives that the senate would meet this morning at 11 O'Clock and for the purpose of receiving the Governors Message

Senator Tipton moved that Senator Watson be added to the Committee on education

Senator Ferguson presented the following resolution

Resolved that the President of the Senate appoint a Committee Composed of one Senator from each Judicial District in the State to act with a like Committee on the part of the House to arrange the Judicial districts so as to suit the convenience of the people throughout the State. The resolution was referred to the Judiciary Committee

Huntsville Arkansas September the 11" 1878.

To the honorable Senate and house of Representatives of the General assembly of the state of Arkansas. Your memorialists the teachers institute of the fourth Judicial district of Arkansas have in its deliberations taken into consideration the great disadvantages under which Teachers and Pupils labor on account of the multiplicity of Text-books used in the free Common Schools of our State. Wherefore your memorialists respectfully ask your honorable bodies to take into consideration the great and vital importance of doing all in your power to secure a uniform series of text-books to be used in the free common schools of this State

John C. Mason Jr. Chairman

On motion of Senator Crowley the resolution was referred to the Committee on Education

Senator Watson offered the following

Whereas the State of Arkansas is largely indebted and has no adequate means on hand with which to pay the

Sorry and whereas the resources of the people have been drained for the last ten years by an unprecedented high taxation and Whereas the only way the debt of the State can be paid ~~any~~ taxation decreased is by a rigid economy in the administration of the Government and a reduction of the expenditures in all departments of the State

Therefore be it resolved by the Senate of the State of Arkansas that it is the sense of this body that all official salaries shall be reduced all unnecessary offices abolished and all other expenses in the administration of the State and County Governments be reduced

Be it further Resolved that the committee on public expenditures be and are hereby instructed to make a rigid examination of the State and County Governments and report wherein in their opinion the same can be retrenched without detriment to the public interest.

Respectfully E. D. Watson

On motion of Senator Watson the above resolution was made a special order of the day for next Monday morning at ten o'clock

Senator Crosby offered the following resolution, Resolved that the Secretary of the Senate be required to furnish each member with ten daily newspapers or their equivalent in weekly

Senator Thurston moved to amend by striking the numbers ten fifteen the amendment was accepted and the resolution adopted

On motion of Senator Harris it was ordered that one hundred copies of list of Standing Committees be printed for the use of the Senate

Senator Thurston introduced a bill entitled an act to amend section one of an act entitled an act providing a general election law.

Senator Terry introduced a bill entitled an act to define the degrees of larceny, which was read a second time and referred to the Committee on Judiciary

Senators Baza and Which appeared and assumed to their seats

The hour eleven (11) o'clock

having arrived the Senate repaired to the Hall of Representatives. The roll of the House of Representatives and Senate was called and a quorum found present.

Senator Jennings then moved that a Committee of five consisting of three from the house and two from the Senate be appointed to wait upon the Governor and inform him that the legislature had met in joint session and was ready to receive his message whereupon Senators Jennings and Armstead were appointed in behalf of the Senate and Representatives Owen Sidney and Barnett ~~were appointed~~ in behalf of the House of Representatives ~~were appointed~~ as said Committee

The Committee retired and upon return Senator Jennings as Chairman of said Committee reported that they had waited upon the Governor and by him informed that his message would be presented in a few minutes. Upon arrival the messenger having the Governors message was announced by the Sergeant-at-arms. The messenger being invited within the Hall the message was then read as follows:

MESSAGE

OF

WILLIAM R. MILLER,

GOVERNOR OF THE STATE OF ARKANSAS,

TO THE

GENERAL ASSEMBLY.

Fellow Citizens of the Senate and House of Representatives:

In complying with the constitutional requirement made upon the Executive to convey to you, at this time, information concerning the condition of the State, together with recommendations, for your consideration, of measures deemed expedient for the public interest, I take occasion to congratulate you upon the steady advances toward prosperity, on the part of our people, since the last meeting of the General Assembly.

While no sudden or remarkable change has taken place in the public condition, the fruits of settled and free home government are evident in the normal growth of industry and substantial well-being; the influx of a respectable, if still too scanty, immigration; the almost total cessation from the bitter political strife of classes; and the general and encouraging diminution of individual indebtedness. The demonstration, afforded by our exemption from that terrible scourge—the fever,—of the superior healthfulness of our climate, cannot but attract new population and with it, increase of wealth. For all these happy circumstances we owe a deep debt of gratitude to Divine Providence. We have only now to see to it, that by

a just and conservative, and at the same time enlightened and progressive, course of policy, we maintain an honorable standing among the States of the Union, in order that we may be be enabled speedily to assume the position which our great natural advantages render certain for us in the ultimate future. The day when we constituted an isolated community, removed, by barriers of distance and of nature, from the great world around, is forever passed. We are now a portion of that world; we are judged by its maxims; if we are to prosper, we must prosper in the deserved good opinion, and as part and parcel of the busy and progressive age; and the influence of these considerations should be present in our every public act.

REPORT OF SECRETARY OF STATE.

The Secretary of State invites attention to several matters deserving careful consideration.

STATE HOUSE AND GROUNDS.

The condition of the public grounds at the Capital is not creditable. The State House is greatly dilapidated, and the yard needs improvement. The appropriation for these purposes has been insufficient, as has also that for the pay of watchmen. The labor of one man through the day, the presence of a single guard at night, and provision for additional watch on special occasions, are all plainly required. I do not regard as insignificant, a matter in which the State may be affected in the eyes of citizens from other portions of the country, and which concerns, too, the security of public records and property.

STATE LIBRARY.

The Secretary's recommendation of the employment of a Librarian in his office, meets my approval.

The condition of the Library demands improvement. The rooms now separated should be united and the books fitly arranged and catalogued; and this alone will constitute, for a competent person, the task of a year. As matters now stand, a library of seventeen thousand volumes is half useless.

ELECTION LAW.

The recommendation that a law be enacted providing for a uniform system of poll-books and abstracts of elections, I regard as one of importance.

ENROLLMENT OF ACTS.

The subject of the enrollment of acts of the General Assembly, lies within the exclusive control of the two Houses. It is sufficient, in addition to the comments of the Secretary of State, to say, that, incompetency and carelessness in this regard, have wrought no trifling mischief, and the matter calls for serious attention.

ISSUE OF COMMISSIONS.

I agree with the Secretary's suggestion of a return to the practice, formerly accepted, of forwarding civil commissions through the clerks of counties.

FINANCE.

The Reports of the Auditor and Treasurer of State present the condition of the public finances. The total amount of warrants drawn upon the treasury, during the two fiscal years past, has been $1,296,859.16; of which sum $422,977.57 was expended in payment of the current expenses of the Government. To the latter sum should be added $26,792.24, amount of certificates of indebtedness against the State. Total sum expended during the two years, exclusive of interest paid on bonds, $449,769.81; an average of $224,884,90, per annum. Not less, however, than $25,000, in excess of any outstanding liabilities of the present administration, has been paid for special expenses remaining over from the administration preceding; so that $212,000 may be taken as the current ordinary expenses of the Government for a year.

From the Treasurer's report, it appears that there were in the treasury, on the 30th day of September, 1878, belonging to the different funds, amounts as follows:

GENERAL REVENUE FUND:

United States Currency	$ 279 57
State Scrip	70,479 40
Auditor's Warrants	12,393 29

COMMON SCHOOL FUND:

United States Currency	$ 7,598 16
State Scrip	334,222 43

PERMANENT SCHOOL FUND:

United States Currency	$ 371 03
State Scrip	48,739 21
State Bonds	141,000 00
Reclamation Certificates	76 00

INTERNAL IMPROVEMENT FUND:

United States Currency	$ 1 00
State Scrip	5,602 12
Levee Bonds	48,693 82
Coupons of Levee Bonds	3,633 50
Auditor's Swamp Land Warrants	500 00

SINKING FUND:

United States Currency	$ 45,764 71
State Scrip	380,472 05
Real Estate Bank Bonds	21,000 00
Real Estate Bank Bond Coupons	25,590 00
Interest on Real Estate Bank Bonds	17,326 50
State Bank Bonds	3,669 54
State Bank Bond Coupons	5,565 25
Interest on State Bank Bonds	1,191 86
Six per cent. State Funding Bonds	155,226 48
Six per cent. Funding-Bond Coupons	42,399 97
Interest on Six per cent. Funding Bonds	1,214 90
State Bonds	250,000 00

SALINE FUND:

State Scrip	$ 1,865 21

SEMINARY FUND:

State Scrip	$ 1,548 84

LEVEE FUND:

State Scrip	$ 295 47
Coupons of Levee Bonds	668 53

The amounts above recited, belong to the State. The following named sums are held by the State as trustee for individuals, cities and counties:

EXCESS FUND:

State Scrip	$ 263 78

TAX DUE COUNTIES:

United States Currency	$ 200 37
County Scrip	10,086 11
State Scrip	233 27

COUNTY INTEREST FUND:

United States Currency	$ 1,082 52
County Scrip	15,955 97
State Scrip	4,209 74
County Interest Certificates	2,700 28

TAX DUE CITIES:

United States Currency	$ 17 86
State Scrip	172 68
City Indebtedness	1,076 46

CITY INTEREST FUND:

United States Currency	$ 227 97
State Scrip	102 07
City Indebtedness	3,991 82
Clerk's Certificates of Interest	6,553 09

REPORT OF STATE BOARD OF FINANCE.

The matters treated of in the Report of the State Board of Finance, may best be presented by the incorporation of that

Report as part of my Message; especially as the Governor is, *ex-officio*, a member of the Board, concurring in its views and statements.

OFFICE STATE BOARD OF FINANCE,
LITTLE ROCK, *December 23, 1878.*

To the General Assembly of Arkansas:

The State Board of Finance beg leave to submit the following report of their action, since the date of their last report.

Under the authority conferred by the General Assembly, the Board contracted a loan from Messrs. R. W. Martin & Co., on the 13th day of April, 1877, of $30,000, for which a note was executed, payable October 1, 1877, seventy-two six per cent. bonds being pledged as a collateral security for the loan. The note was paid off and the bonds were redeemed on the 20th day of December, 1877.

On the first day of July, 1877, the second loan of $250,000 made with Messrs. Latham, Alexander & Co., fell due. There was an unusually large delinquent list, and the unexpected deficit from that cause, amounted to over $20,000; in order to meet which, and to complete payment of money borrowed and to pay interest on bonds, the Board negotiated a temporary loan from the German Bank of Little Rock of $30,000.

In July, 1877, the Board opened negotiation with Messrs. Latham, Alexander & Co., for a loan for payment of current expenses and for payment of accruing interest on the bonds of the State for the year to end on the first day of July, 1878. The result of these negotiations was that Messrs. Latham, Alexander & Co. declared their inability to secure a loan in New York; and they, thereupon, tendered their resignation as financial agents for the State, which was accepted July 19, 1877.

Other efforts were then made to obtain a loan in New York; but without success. In November, 1877, the Board obtained a loan through Matthews & Whitaker, of St. Louis, of $100,000, for the purpose of repaying the money temporarily borrowed from R. W. Martin & Co., and from the German Bank, as above stated, and for the purpose of paying interest

falling due on bonds, and paying amounts accruing to the Deaf Mute and Blind Institutes, and the University at Fayetteville.

This loan of $100,000, thus obtained through Matthews & Whitaker, was repaid July 1, 1878.

In the month of July, 1878, another loan was obtained through Messrs. Matthews & Whitaker, of $100,000; and another through the same parties in the month of August, of $100,000, to meet the expenses of the State government, and to pay accruing interest on bonds; for which notes were given, one payable July 10th, 1879, and the other, August 12th, 1879, bearing interest at ten per cent. per annum.

It should be mentioned that when the loan from the German Bank fell due, as there was not money in the Treasury to meet it, the time was extended for its payment, until the seventh day of September, 1878, and an additional loan of $5,980 was made by that bank to the State.

All of the above mentioned loans have been paid, except the last loan of $200,000, negotiated through said Matthews & Whitaker.

When the General Assembly adjourned in March, 1877, the second loan of $250,000, obtained through Latham, Alexander & Co., had been exhausted, and from that time until July, 1878, there was no money in the Treasury, with which to pay current expenses, except the temporary loans above mentioned.

Since October 1st, 1876, $55,000 in State scrip have been funded in bonds.

By reference to the report of the Treasurer, it will be seen that the volume of State scrip has been greatly diminished; though, owing to the reduction of taxes made by the last General Assembly, it will not be absorbed until a later period than that contemplated by the Board at the time that its last report was prepared.

Within the period covered by this report, Messrs. John D. Adams and J. E. Redfield made a proposition for the settlement of the State debt, which has already been made public, and which was contingent on its approval by a majority of the

holders of the bonds outstanding. They afterwards communicated to the Board the fact that the holders of a majority of one species of State indebtedness—the Holford bonds—were unable or unwilling to give assent to the proposition made; and upon this Messrs. Adams and Redfield requested a modification of the terms as first presented, which request was declined by the Board, and the negotiation was by it declared to be ended. Since that time no further offer for a settlement of the State debt has been made by any one.

The proposal of Adams and Redfield, the action of the Board, and all the correspondence on the subject, are herewith submitted.

The necessity of borrowing money for the payment of current expenses, caused by the issuing of State scrip, receivable for taxes, is certainly a disagreeable one. It is, however, only temporary. If the State declines to borrow, it will have to pay for everything in scrip, and as scrip is below par, it will, in making all purchases, have to pay more than the articles purchased are worth in currency. This will lead to a continual increase of the volume of the scrip, to its continual over-issue, and to a progressive depreciation. This will conduce also to the prostration of the charitable and educational institutions of the State. Without saying anything about national examples, many of which are very admonitory and pertinent, it may be mentioned that this species of financiering has been tried by some of our counties with unsatisfactory results. As for official salaries, it may be remarked that if there is now any complaint of the quality or efficiency of officials, it can hardly be expected that a better class can be had for less pay. As for clerks in the different departments, it may be said that their present pay is quite as low as that paid by private persons for like services. If such clerks are to be paid in a depreciated paper, it will follow that this depreciation will enter into the character of the men who will engage to perform these services, and into the services which they will render. There is hardly any one who is able and willing to labor for the State without

compensation proportioned in some degree to the value of that labor.

It is, however, not uncommon to hear it said that if officials were paid in scrip deeply depreciated, the nominal amount of salaries remaining unchanged, just as good officers could be had as the present incumbents, officers who would perform their official duties just as efficiently and just as well; but as persons using this language, probably, refer vaguely to themselves, it is possible that their personal feelings may produce some bias in their judgments.

Having given the matter our best consideration, we will repeat, for whatever it may be worth, what was said by the Board on this subject, in its last report made during the administration of Gov. Garland:

"It is the deliberate opinion of the members of the Board that it will be better for the State to continue the policy that has been pursued since its organization, of borrowing money to pay current expenses, until all the outstanding Treasurer's warrants are taken up and cancelled, rather than to renew the system of issuing more warrants, and thus bring about a further and constantly increasing depreciation of such paper. The result of that depreciation would be, that our public institutions of charity would perish for want of support; official salaries would be reduced so low that good men of fair abilities would be compelled to decline the public service, and the State would have to pay enhanced prices for everything purchased by it. In the end the State would have to adopt, under augmented difficulties, the same policy which is now being successfully acted upon; or otherwise the State Government would become so clogged with irredeemable and uncurrent paper as to render all its operations difficult, if not hopelessly impracticable."

The Board has again to perform the painful duty of announcing the death of one of its members.

Col. B. F. Danley, elected at the last session of the General Assembly, served only a few months on the Board, when he

was called away by that final summons which awaits us all. He possessed all the qualities of capacity and integrity which were requisite for the place which he was elected to fill; and if his life had been spared, it may be confidently assumed that his services would have been of lasting value to the State, for whose welfare he entertained a patriotic and unwearied regard. By his death the State lost a useful and serviceable official, and the other members of the Board were deprived of a trustworthy colleague, and a personal friend.

It only remains for us to add, that by the terms of the act creating the Board, its legal existence ceases with the close of the present day.

Respectfully,

W. R. Miller,
F. W. Compton,
U. M. Rose.

BONDED DEBT.

The entire question of the bonded debt of the State is with the Legislature. I have taken occasion, in the past, to express in full my opinions upon the subject; and I have nothing new to say.

Since the last session of the General Assembly, a large portion of the bonded debt has been declared, by the Supreme Court of the State, to be void in law. I trust, in dealing with this subject, that such course may be pursued by the Legislature as will preserve our honor and credit as a State.

STATE SCRIP.

The Auditor and Treasurer agree with the Board of Finance in deprecating the policy of attempting to meet the expenses of the Government, by a new issue of scrip.

The results of that policy in former times, have been sufficiently disastrous to warn us against the renewal of the experiment. I am gratified to be able to announce to you that, owing to an error, antedating the administration of my predecessor, and but recently discovered by research in the books of the Treasurer's office, the volume of State scrip extant has been overstated to the amount of $631,118.06; so that but $477,729.47 of this species of indebtedness, remains outstanding.

So far as relates to the meeting of current expenses, the entire financial embarrassment of the Government may be said to have arisen from the issue, and presence in the market, of this scrip, receivable for all dues, except that for interest on the public debt. We now find ourselves within reaching distance of relief from this element of public distress. A resolute method of dealing with the subject, by adequate taxation, will speedily rid us of it; and the opportunity should not be neglected.

We have for several years persistently avoided, so far as possible, the issue of these notes—for notes, alone, they are—notes which do not honestly pay the State's creditors, and which come back only to vex and starve the treasury. No State, more than an individual, can support itself upon the returned evidences of its own indebtedness. We shall never get out of debt by plunging into debt afresh. To recur, now, to the scrip system, would be to re-open the sources of all our financial misfortunes. The payment of taxes in scrip may subserve the interests of the broker, who,—legitimately enough, no doubt, in the way of his business,—cashes, at enormous discounts, the warrants issued by the State to its creditors in lieu of currency, returns them to the State at par, and pockets the difference. It subserves no other interest. The taxpayer receives no permanent advantage by being enabled to pay his taxes in scrip. In effect, he, as a citizen, merely buys up his own paper at a discount, and continues, as a citizen, to owe the difference, which must at last be paid. During the past two administrations, when we have been compelled to incur debts, we have made them short ones, have paid our other obligations, decently, with the proceeds of the loans, and have repaid the loans promptly. The beginning of scrip payments is like the letting out of water.

AMENDMENTS TO THE REVENUE LAWS.

I fully concur with the Auditor's suggestions respecting the necessity of amendments to the law on the subject of revenue, which in many respects is defective. That portion of it relat-

ing to the assessment of merchants, cannot be understood by two officers construe it alike; and confusion is the result. It is also uncertain, to say the least, as the law now stands, whether between the first day of August and that of January, in each alternate twelve months, there is any officer authorized to act as County Collectors. The Sheriffs are required, by the statute, to give bond, as Collectors, on or before the 1st day of January in each year. Many of these officers fail to enter into bond within that time. Their term of office as Collector expires on the last day of July; the date by which they are required to make final settlement. No uncertainty ought to be permitted to remain, as to the liability of the Collector's sureties in this interval; and no interregnum should exist in the office. Controversies, growing out of questions of this character, have already arisen, between counties, or the State, on the one hand, and the sureties of Collectors, on the other, which may possibly result in loss to the public.

The time for assessment, collection, return of delinquent lists, sale of delinquent lands, and settlement by Collectors, can be changed to advantage. This is especially true in the matter of lands delinquent for taxes. As the law now stands, the date fixed for settlement follows so closely upon the sales, that compliance with the requirements of the Statute becomes, really, impossible.

Numerous other defects in the law occur; and it may be that the appointment of a committee specially charged with the preparation of a new or amended statute on the subject of revenue, would prove of advantage. The suggestion is respectfully submitted.

PUBLICATION OF AUDITOR'S VOUCHERS.

The operation of the law, passed at the last session of the General Assembly, providing for the publication of a detailed statement of receipts and expenditures of public money, has been to increase the cost of printing the Auditor's Report, from $224.48, in case of the last preceding issue, to $4,356.12 in the instance of present report. As the publica-

tion furnishes no security, whatever, against malfeasance, without the customary examination of the Auditor's and Treasurer's books by a joint committee of the two houses, it is for you to consider whether the benefit derived from the novel expenditure, offsets the increased cost of printing.

FORFEITED LANDS.

I elsewhere take occasion to intimate my dissent from the views expressed by the Auditor on the subject of Forfeited Lands, and of the abolition, at the present time, of the office of Commissioner of State Lands. The process of reduction of offices and salaries, which the Constitutional Convention of 1874 in good faith undertook to carry out to the utmost extent compatible with efficiency in the public service, has by successive stages been improved upon to a degree which in my judgment leaves no room for the exercise of statesmanship in the same direction. It is obvious that government cannot be conducted altogether without officers, and that instances will arise in which competent men will require, for their services, compensation in the nature of adequate salary; so that in any case the limit of judicious economy must be eventually reached. I am compelled to agree with the Board of Finance, in thinking that that limit has already been obtained.

For other recommendations in matters of detail, presented by the Auditor and dserving your careful notice, you are referred to his Report.

PUBLIC CONTRACTS.

The provisions of an act entitled "An Act to regulate the letting of Public Contracts," approved November 28th, 1875, and the act amendatory thereof, approved March 10th, 1877, have been complied with by the Board of Contracts, so far as was possible. In May, 1877, contracts were let for the term ending December 31st, 1878, for printing and binding, to Adams & Blocher; for stationery, to J. E. Reardon; and for fuel, to Zeb Ward for coal, and Gaines & Woodsmall for wood; these being the lowest bidders. During the month of September, 1878, contracts were let, for the term beginning January 1st,

1879, and ending December 31st, 1880, for printing and binding, to W. D. Blocher; for stationery, to J. E. Reardon; and for fuel to W. E. Woodruff, Jr. Bids for printing and binding were made by J. N. Smithee & Co., W. D. Blocher, and A. H. Sevier. J. N. Smithee, one of the firm of J. N. Smithee & Co., being a State officer at the time the bids were made, and at the time the contracts were to be awarded, the question was raised as to his right, consistently with the provisions of Art. xv, Sec. 19, of the Constitution, to bid for or become interested in such contracts. The question was referred to the Attorney General, who decided against Mr. Smithee's right to an award of the contract. Smithee & Co.'s bids were, therefore, not considered by the Board.

The contract law is an expensive and difficult one to enforce, and needs amendment. The maximum prices fixed for printing and binding should be reduced; and the Board should be given authority to reject all bids considered too high. As it is now, the Board has no discretion, no matter what the figures may be, so that they are within the maximum fixed by law. For further information upon this subject you are respectfully referred to the proceedings of the Board, on file with the Auditor as its Secretary.

ATTORNEY GENERAL'S REPORT.

The recommendations presented in the Report of the Attorney General are entitled to your careful attention.

LAND CASES IN PULASKI CHANCERY COURT.

As the law now stands, the great body of suits brought in the Pulaski Chancery Court, to assert the rights of the State in the matter of her lands, are practically suspended. The Court is ousted of jurisdiction; while the defendants, within whose sole option the transfer of the cases to a competent tribunal, lies, naturally enough decline to move in the matter. Appropriate legislation is obviously required.

REAL ESTATE BANK LANDS AND MORTGAGES.

The Attorney General urges the repeal of an "Act to regulate the sale of lands belonging to the State in certain cases,"

approved December 15, 1875, securing certain privileges to the owners of equities of redemption of real estate bank lands. He has had large experience of the practical workings of this law; and his opinion on the subject is entitled to great weight. I concur in the recommendation made, and would suggest the enactment, in lieu of the present statute, of provisions which, while in no way unjust or oppressive to the holders of these equities, may better preserve the rights and interests of the State in the premises.

LAW OF LARCENY.

The proposed change in the law on the subject of larceny, also merits your consideration. Under the operation of the act of January 23d, 1875, constituting as a felony the offense of stealing property exceeding the sum of $2, instead of $25 as before; the number of convicts sent to the Penitentiary for theft at first rapidly increased. Of late, the number has become considerably diminished. Whether this reduction has been the result of an improvement in public morals, resulting from the rigid enforcement of the enactment referred to, or whether, on the contrary, an apparent disproportion of the penalty to the magnitude of the offense, has worked a laxity in the execution of the law, presents a proper subject of inquiry. It is thought that the effect of the present statute, by compelling the prolonged imprisonment of petty offenders in the jails, to await trial before the Circuit Courts, has been to increase rather than to diminish, the expenses of such cases to the counties. The Attorney General proposes that the minimum value of stolen property, necessary to constitute the crime of grand larceny, be increased from two to ten dollars.

MEMPHIS AND LITTLE ROCK RAILROAD COMPANY.

The case of the *State of Arkansas*, plaintiff, against *The Memphis and Little Rock Railroad Company*, et al., defendants, for the foreclosure of a mortgage, executed by the company, in 1861, to secure a loan from the State, is of great interest, involving, as it does, a sum of over $180,000. The bill for foreclosure is vigorously resisted; and in view of the magnitude of

the sum in controversy, I have, at the Attorney General's request, taken the responsibility of employing the Hon. F. W. Compton, to assist in the prosecution of the suit.

LANDED INTERESTS OF THE STATE.

The report of the Commissioner of State Lands is full and comprehensive. The labors of that officer, who found his department in a condition of indescribable confusion, and has left it as well organized and arranged, I believe, as is possible after the errors and malfeasance of the past, and under the present imperfect system of legislation on the subject, deserves commendatory notice.

The number of amendments which his experience has suggested to existing statutes, indicates the necessity of a thorough revision of the Land Laws. I cannot fully concur in all of his recommendations, and do not think it necessary here to follow them in detail, but I desire to direct to them your most careful attention. In the absence of other adequate revenue, the State ownership of lands furnishes, if properly managed, the means of liquidation of a large portion of our indebtedness to the United States, of effective assistance to the cause of education, and of still further, and greatly needed, assistance, to our finances. The matter of revision is not one that admits of neglect.

SCHOOL LANDS.

Legislation is plainly required in the matter of disposal of school lands. By the terms of the Amended Compact, on the subject, between the United States and the State of Arkansas, the proceeds of sale of the Sixteenth Section of each township were to accrue to the township, for purposes of education. The School Law of 1868, in violation of the terms of the compact, diverted these moneys to the Common School Fund of the State. By the law of 1875, however, they were specially excepted from the provisions made for contribution to that fund, and are again held, subject, in all respects, to their original tenure. But no statutory enactment is in force prescribing the details necessary for the disposition of the funds

accruing to the townships, or for a proper system of accountability. The omission should be repaired.

I am unable to agree with the Commissioner in his recommendation that these lands be sold for cash only; as it appears to me that an efficient system of accountability will afford protection against possible loss; the lands being held as security for the payment of principal and interest of the notes given.

I do decidedly concur, however, in the suggestion that the entire charge of the subject, including the issue of deeds to purchasers, be committed to the office of Commissioner of State Lands.

In the adoption of the Commissioner's repeated suggestion for obtaining, from the clerk of counties, information of the exact status of every tract of School Land, I concur.

REAL ESTATE BANK LANDS.

The office of Receiver of the Real Estate Bank appears to have become superfluous; and the records and papers should, in my judgment, be transferred to the Land Department.

An amendment, such as is suggested by the Attorney General, and to which I refer in noticing the report of that officer, of the law relative to the redemption of Forfeited Real Estate Bank Lands, will, I believe, render the continued prosecution of the Real Estate Bank suits, involving the title to 18,000 acres of land, of substantial advantage to the State.

FORFEITED LANDS.

The numerous amendments, proposed by the Commissioner, to the law on the subject of Forfeited Lands, call for your consideration. I think it necessary to specify only one of these; that requiring, from donees of State Lands, proof of improvement within twenty-one months after donation, and, in default of such proof, the absolute reversion of such lands to the State.

SWAMP AND OVERFLOWED LANDS.

I shall not undertake to place before you in detail, the matter of the interest of the State in respect of unconfirmed

Swamp Lands. The report of the Commissioner presents the subject fully. The State is rightfully indebted to the United States, in a considerable sum; and on the other hand the United States rightfully owes the State, for Swamp and Overflowed Lands, sold, by the United States, to private purchasers, after the grant to the State took effect, a large, but as yet unascertained, amount. This sum should be properly ascertained, and set off against our indebtedness. Whether by a direct appropriation for expense to be incurred, or by liberal allowance to agents who will undertake the costs and risk of pressing our claims, the matter should, in my opinion, be provided for at this session of the General Assembly. The policy of inaction, which characterized the earlier history of our State, so far as the definite ascertainment of public debts and credits was concerned, has brought upon us half our financial troubles; and it is, in my judgment, full time now to remedy the defect, once for all. Whatever provision the General Assembly, in its wisdom, may make in the premises, should, in one way or another, include that for the personal attention of an active agent at the National Capital. It is quite idle to suppose that any other method will be of practical service.

The Commissioner's recommendation of a settlement, by arbitration, of the question of Swamp Lands, erroneously granted to railroads, meets my approval. If it be thought inadvisable to disturb the tenure of the railroad companies, the United States should allow the State of Arkansas, in offset of indebtedness, the value of the lands.

I concur in the Commissioner's recommendations of the appointment of selecting agents for Swamp Lands never selected or reported, and of a regular Attorney at Washington, to attend to the interests of the State in matters arising before the Department of the Interior. We are already losers, by hundreds of thousands of dollars, for want of petty appropriations to employ competent clerical and legal assistance. That policy is, as it appears to me, a penny-wise and pound-foolish one, and has been quite long enough continued. Neither in-

dividuals nor bodies politic can gain or regain money without judicious preliminary expenditure.

I am unable to agree with the Commissioner in his suggestion of an appropriation to meet expenses of trials, respecting matters of swamp lands, before Registers of the United States. The present Commissioner is of opinion that no benefit can accrue from litigation of that character; and in this opinion I am inclined to concur.

TEN-SECTION GRANT.

The Commissioner refers to the claim of Mr. John J. Gidiux, of Louisiana, to 320 acres of land, in Chicot County, constituting a portion of what is known as the Ten-Section Grant. Mr. Gidiux has filed his application for a patent to this land. The proof of sale, under the administration of Governor Pope, to the parties under whom the claim is made, appears complete. I have thought it proper, however, to refer the subject to the General Assembly. It is certainly entitled to immediate decision.

CONSOLIDATION OF LAND BUSINESS.

The suggestion above presented, in the matter of School Lands, as to the consolidation, in a single office, of the business appertaining to that branch, I regard as applicable to all papers and transactions relative to State Lands. Systems of record and accountability relating to the same subject-matter but divided between two offices, are sources only of expense and confusion. The same objection applies, in my judgment, in still greater force, to any proposition to remit the matter of Forfeited Lands to the care of the several counties.

LEVEES ON THE MISSISSIPPI.

The General Assembly of the State of Louisiana, at its last session, passed an act providing for the formation, with the approval and co-operation of the State of Arkansas, of a levee district upon the Mississippi River, situated partly in Louisiana and partly in Arkansas; the act making further provision for revenue for levee purposes, for donating certain lands for such

purposes, and for the care and police of the levees, within the district so to be formed. It provided for the appointment of Commissioners, to act with similar Comissioners on the part of Arkansas. The gentlemen composing the Louisiana Commissioners have waited upon me, and while I did not feel myself authorized to make any formal appointment, I requested four gentlemen,—Messrs. D. H. Reynolds, R. C. Newton, U. M. Rose, and F. W. Compton,—to engage in the conference suggested, and to consider and report upon the questions of law and public policy, involved in the proposition. The result of this conference was embodied in a report, concurred in by all the members of the joint committee thus constituted, recommending the adoption, by the General Assembly, of legislation, designed, with the consent of the Congress of the United States, to establish, between Louisiana and Arkansas, a compact carrying into execution the plan proposed by the former State. The subject is but newly before me; and I submit, without recommendation in the premises, the papers in the case; inviting, however, your attention, to the magnitude of the interests involved. Any system, general or partial, that will afford adequate protection to our alluvial lands, will increase our wealth by millions of dollars.

IMMIGRATION.

I invite your most earnest attention to the subject of immigration. I do not hesitate to declare this the one most important interest of the State. If we are to be honestly and effectually freed from the discouraging pressure of public debt, it has to be accomplished through the influx of population and wealth. If, without paralyzing, through paltry economies, falsely so called, all beneficent action of the State Government, we are to be enabled to decrease our rates of taxation, it is to be effected in that way, and in no other. If we are to push on, instead of retrograding, in the career of genuine public spirit, and substantial progress, which began with the recent liberation of our State, the means must be provided, and that spirit must be engendered which comes only of a population at once numerous, and

animated by the life and vigor that inspires and accompanies the better class of immigration. To increase our individual wealth, we require, for our products, the home markets which spring up with the system of manufactures and internal commerce necessarily attendant upon a thickly settled community. Every dollar expended in transporting our crops to a distant market, or in importing manufactured goods from such a market, is so much absolute loss; and the loss falls chiefly upon the farmer. With increase of population come more churches, more schools and better teachers, mills more conveniently situated to our homes, better roads, new railroads, and better methods of living.

The direct monetary value of immigration is a subject of fairly accurate calculation. A moderate estimate of the average net value, to the community, of individual labor, alone, (in surplus of the cost of subsistence), fixes that of each man at about $1,500—of each woman, say, $750; being an average of $1,125, for the individual. This valuation is exclusive of the personal property introduced by the immigrant. If the result of a reasonable expenditure, on the part of the State, for the encouragement of immigration should be, only the introduction of twenty families of five persons each, our community would be benefitted to the extent of $112,500. In our system of society, this wealth becomes rapidly distributed among the mass.

Now, while the natural attractions of our soil and climate are steadily inducing immigration to a certain extent, it is idle to imagine that any general and effective system is practicable without legislative action. We have State and local immigration societies: but they languish, and are inefficient, for want of a central system, with adequate support. Apart from railroad companies endowed with grants of land of which they wish to dispose, and from a few real estate agents, there is no one person or corporation justified in expending any considerable portion of time or money, in advancement of an interest essentially a public one, and the care of which properly belongs to the entire community, as represented by the State. A com-

mon interest should be cared for by common contribution; and the only practicable method of common contribution is through legislative appropriation.

The example of our neighboring State of Texas, sufficiently demonstrates the effects of a liberal system of encouragement of this interest. I recommend an appropriation for the purpose, not beyond our present ability, but sufficient to maintain, in a condition of efficiency, a central office, from which information respecting the inducements offered by Arkansas to the immigrant may be diffused, and under the operations of which cheap transit hither may be secured for the immigrant; hospital and other temporary accommodations provided on his arrival, and a liberal number of agencies established at important points, outside the State. At the Commissioner's office, every section of the State would have the opportunity of representing, to the immigrant, its own peculiar advantages. Such an appropriation as I suggest, would, I am persuaded, prove a highly profitable investment, rather than an item of expense, to the commonwealth.

EDUCATION.

On the subject of the importance of our educational interests, it does not appear necessary to multiply words. When, in referring to immigration, I have spoken of that as the leading interest of the State, it has been because these two are so closely connected. Our educational interests, like all our others, are absolutely dependent upon the increase of our wealth. So long, too, as State scrip remains outstanding, receivable for all dues, and payable for all expenses of schools, our teachers must be half paid, and either half-rate teachers must be employed, or the other alternative, which invariably holds in practice, (all statutory rules that may be prescribed, to the contrary notwithstanding), obtains, that the scrip is received at about its market value, and the schools are weakened accordingly. When our scrip shall have been all taken up, our schools may prosper as they should; but not till then.

SUPERINTENDENT'S REPORT.

The report of the Superintendent of Education, by reason of its including the statistics of public schools only, necessarily fails to present an adequate showing of the education bestowed on the children of the State, and in this respect does us injustice in the eyes of the world. Through the clerks of counties, or otherwise, the statistics of private schools should be obtained, and included in the report.

There appears in the report, no statement of funds derived from the poll-tax, which is now made payable into the county treasuries. The deficiency may arise in part from imperfection of reports of county school officers, but is probably chiefly due to failure of collection. The Constitution devotes this fund to the support of schools. The income from that source alone, if collected according to law, ought to reach certainly not less than $100,000 per year. The actual net sum received for poll tax of 1874,—being the last reported,—was but $40,462. It is obvious that the failure to collect arises from the fact that collection in installments of a dollar, with the per centage now allowed the collectors, does not, and will not, inspire the diligence requisite to efficiency; and the consequence is, a general neglect to collect poll tax, except from such as have other taxes to pay.

The laws guarantee personal safety to every citizen, no matter whether rich or poor: and its affectation to pretend that safety for life, or person, and personal property, is not very cheaply obtained at the cost of a dollar per year. If the per centage to collecters were raised in the instance of this tax, the collection would probably be made, and, without oppression to any individual, the common school revenues would be increased by, say, $50,000 per annum, which would inure to the benefit of the children of the poor. I invite your consideration to the subject.

I concur in the Superintendent's recommendation of the abolition of teachers' district institutes. Our teachers cannot well, so long as their salaries are paid in scrip, be expected to

incur the expense consequent upon attendance on these meetings; and the county institutes appear sufficiently to meet the purpose contemplated.

SCHOOL LAW.

That the present School Law requires amendment, is conceded. That such amendment ought not to be of so radical a nature as materially to disturb the operation of a system already in working order, also appears plain. The present act seems to call for a superabundncae of blanks and reports. Without undertaking to specify details, I commend the entire subject to your most careful scrutiny.

AKKANSAS INDUSTRIAL UNIVERSITY.

Herewith I submit the report of the Board of Visitors to the above named institution, as well as the proceedings of the Board of Trustees in June of 1877 and 1878, and the report in relation to the Normal Branch College at Pine Bluff.

At the meeting of the Trustees in June, 1877, it was found necessary to consolidate the professorships, and to reduce the salaries, in order to bring the expenses of the University within its income. This has of necessity greatly crippled the usefulness of the institution. More labor is required of the Faculty than they can perform with justice to the pupils or to themselves.

I earnestly recommend that the appropriations asked for by the Trustees be made. Liberality towards the Unniversity would be the wisest economy. If properly sustained by the State, it would, in a short time, afford means of education equal to those furnished by any college in the country.

In June, 1877, the office of President being vacant, the Trustees elected Gen. D. H. Hill, of North Carolina, to that position. He accepted, and took charge of the University in September following. His management has met the approval of the Trustees, and has given general satisfaction; the University has attained a prosperity heretofore unknown; the expenses have been lessened, and the number of students increased.

The number of pupils in the school, at present, is upwards of three hundred. With a small additional outlay by the State, this number could be easily increased to five or six hundred.

The law in regard to the appointment of beneficiaries should be amended. In many counties none are appointed, and in others, those appointed do not enter the University. By a change in the law, these vacancies might be filled by persons from other counties. The Trustees should be authorized to appoint a certain number, each, in cases of vacancies arising from the causes mentioned.

I sincerely hope that the General Assembly may adopt and carry out such a policy toward the University, as well as toward the Normal Branch, at Pine Bluff, as will make them institutions of which we may well be proud.

ST. JOHNS' COLLEGE.

I have received from the Board of Trustees of St. Johns' College, a communication, asking an appropriation of $3,000 per annum, to be expended in the establishment of a department of chemistry, metallurgy, geology, and mining, in that institution; which department is to accomplish a thorough geological survey of each county, furnish a complete collection of specimens of the mineral productions of the State, and publish the results of its labors; the College engaging, further, to provide, in consideration of the State aid thus received, a free Normal School. The application is one to be considered by the Legisluture.

CHARITABLE INSTITUTIONS.

It is made the constitutional duty of the General Assembly to provide, by law, for the support of institutions for the education of the deaf and dumb, and of the blind; and also for the treatment of the insane. A beginning has been made for the education of the deaf and dumb, and of the blind; but the institutions established for that purpose are not what they ought to be. Owing to the embarrassed financial condition of the State, the appropriations for their support have been in-

sufficient to provide for the education of all those unfortunate classes residing in the State.

No effort, commensurate with the ability of the State, should be spared, to make those institutions equal to similar institutions in other communities, and equal to the task of educating all the deaf-mute and blind children in the State. Sound policy, as well as the dictates of humanity, demand such education; properly educated, these afflicted beings will become self-supporting and useful members of society; without it, they are likely to become a tax upon the community.

BLIND INSTITUTE.

The reports of the Trustees and Superintendent of this institute will give the Legislature full information in regard to the operations of this school, during the past two years. Forty-six pupils have been instructed during that period. A much larger number might have been taught had the appropriation for the support of pupils been sufficient to defray the necessary expenses. The want of means has enforced the necessity of curtailing the length of the sessions and limiting the number of pupils, thereby lessening the usefulness of the institution. Estimates of expenses for the next two years have been made, by the Trustees and Superintendent, which I think are reasonable; and the appropriations, as asked for, should be made.

Under an act approved March 8th, 1877, the Commissioner of State Lands, sold the property known as the "Arkansas Institute for the Blind," situated in Arkadelphia, for the sum of $1,050. One-third of the purchase money was paid in cash, and notes given for the other two-thirds, payable in one and two years; and a lien was reserved upon the property for the deferred payments.

The cash paid, and the notes given, were turned into the the State Treasury. I think the Institute equitably, if not legally, entitled to the proceeds of the sale, and therefore recommend that an appropriation be made for its benefit covering the amount paid in cash, and an act passed requiring the

notes given to be paid over to the Trustees; the whole to be used in making repairs and improvements upon the buildings and grounds of the Institute.

Your attention is directed to several other recommendations contained in the report of the Superintendent, especially to one suggestion a change in the name of the Institution. The popular idea is, that it is an "asylum" for the support of the indigent blind; this is an error, as it is in no sense an "asylum," but a school for the *education* of this afflicted class A change in its name might, as suggested, dispel this error.

DEAF-MUTE INSTITUTE.

Your attention is called to the reports of the Principal and Trustees of this Institution. The recommendations therein made should be well considered. It is unnecessary for me to urge upon you the necessity of supporting this school. The benefits arising from it are self-evident, and are seen and felt all over the State. The Trustees suggest that the appropriation for the maintenance and support of the Institute be fixed at $8,000 per annum; and for the pupil fund, at the sum of $180 per pupil. I think the sums asked for are reasonable, and should be granted.

LUNATIC ASYLUM.

In 1873, the sum of $50,000 was appropriated for the erection of a Lunatic Asylum: $21,000, in scrip, of this appropriation, has been drawn by the Trustees, and the balance of $29,000 has reverted to the Treasury. $16,000 was expended in purchasing ground for the building, and $5,000 converted into currency, realizing $3,366.61. Out of this amount there has been paid for improvements on the ground, for plans and specifications for buildings, and on other accounts, $1,104.16; leaving in the hands of the Trustees, $2,262.45.

The number of insane persons in the State, as nearly as can be ascertained, is about 300. Many of these are now, to use the language of the Trustees, "confined in loathsome and pestilential jails, unfit for the meanest criminals, without any regard to sex or condition."

The Trustees estimate that it will require an appropriation of at least $150,000 in current money, for the erection of "suitable and substantial buildings for the insane."

In the language of my predecessor, I would say, that "no class of suffering humanity has so large a claim upon the support of the community, as this; and no charitable institution is as much needed as one for the proper treatment of these persons." Every dictate of humanity requires that something should be done in this matter; and the subject is referred to the General Assembly, with the confident hope that ways and means may be devised for the erection of an asylum within the next two years.

MILITIA.

The enrollment of militia, under the administration of my predecessor, was, in some portions of the State, very complete; and while in other sections it remained imperfect, or unattempted, the aggregate force is highly respectable in point of numbers. To obviate the expense and inconvenience of a new enrollment, orders have been issued declaring all musters made since November 12, 1874, as in force and valid for the period of five years from and after the date of muster; full opportunity having been at the same time afforded for the withdrawal, from enrollment, within a period specified, of any officers or enlisted men who might so desire. Some new enrollments of companies of State Guards have been made. The report of the Adjutant General shows the force remaining substantially as before.

It having been recently represented that irregular organizations in military form, without due sanction of authority, and not properly mustered and reported, existed in some localities, orders were issued, throughout the State, requiring the disbandment of such organizations, if any there were.

The State possesses, nominally, 1,162 Springfield breech-loading rifle muskets, 79 muzzle-loading muskets, 61 shot-guns, 1 (12-pounder) Parrott gun, complete, and 1 (64-pounder) siege gun, with ordnance stores as set forth in the Re

port. I invite attention to the statement and recommendation made in regard to the collection and care of this property.

There is now due the State of Arkansas, from the United States, on her quota of arms, $11,977.49. It has been deemed best to defer drawing the arms until there could be submitted to the General Assembly the proposition, recommended by the Adjutant General, and in which I concur, authorizing the Governor, in case he shall at any time, be able to commute any portion of the arms-quota for money, to expend the same in the construction of suitable accommodations for the preservation of the arms of the State, etc.

There has been occasion, during the present administration, for the actual employment of the militia, in but two counties of the State; and in each instance its sole function has been that of the enforcement of civil law. I may add, that in each instance its use has resulted in a saving of bloodshed apparently imminent, and, more than once, in the preservation of property the destruction of which seemed otherwise inevitable. I learn, further, that in each county the repression of lawlessness has proved apparently final, and that quiet, order, and public security, have been restored. The report of the Adjutant General presents a sufficient statement of the details of these cases; and I need refer to them but briefly.

My predecessor in office had, at least twice, during the two years of his administration, occasion to dispatch his officers of militia to Scott County, to investigate troubles existing there, and take measures to strengthen the hands of the civil authorities. Early in January, 1877, information, from authentic sources, was received by me, that a collision, most dangerous to the public peace, was in all probability, to take place, at the opening of the Scott Circuit Court, between two hostile factions; a collision such as experience had already shown, and subsequent events have demonstrated beyond doubt, the authorities of the county would be unable to repress without assistance. The members of the militia of the county, as then constituted, were warmly enlisted on one or

the other side of the dispute. There was no opportunity for the Sheriff to call, in season, upon other militia for assistance, or for me to communicate with him. The Legislature being in session, I was without power to "call out," in the meaning of that term as employed in the Constitution, any portion of the militia. At the same time, if a disturbance was to be obviated, there was not an hour to spare. I therefore caused a small party of State Guards, under a discreet officer, to be marched from Franklin County, as upon any ordinary parade, or exercise for instruction, and to encamp near the county-seat of Scott; there to hold themselves subject to the call of the Sheriff of the county; a call which the law authorized that officer to make at any time, upon his own responsibility. The near presence of the troops rendered their employment unnecessary; and in a few days they returned to their homes. I have the personal assurance of the gentleman then holding the position of Sheriff, and of others, that the vicinity of this little force, although it was not employed, in all probability preserved the peace of the county at that time.

In the month of March, 1877, the unprovoked murder, in Union County, of some colored men, by ruffians connected with a gang of outlaws haunting the borders of adjoining States, so aroused the indignation of the good citizens of the county, without respect of color, that a mass meeting was held, at which, among other measures adopted, permission was asked to organize two companies of militia, one of white and one of colored men, and to have them armed by the State, to assist the civil authorities in maintaining the supremacy of the law. The request was accorded; and, rewards offered for the arrest of the murderers having soon after led to their capture in Texas, and threats having been made of an undertaking, by an armed mob from abroad, to rescue the prisoners, I directed the detail, from Hempstead County, of a small guard of militia, to escort across the country the officers in charge, and secure the delivery of the parties arrested, to the proper authorities.

In July of the same year, the Sheriff of Scott County reported, in person, at the Capital, that the county seat had been seized by a party of desperadoes, who occupied a strong building, and defied him to enter the town, or to attempt the performance of the functions of his office. I declined to render him assistance until he should first have exhausted the remedies afforded him by the law; among which (Revised Statutes, Sec. 2060,) was the right to command as many male inhabitants of his county as he might think proper, and any military companies in his county, armed and equipped, to assist him in overcoming resistance to the execution of process, or (Sec. 4246,) the enforcement, in any case, of the civil or criminal law. The Sheriff did return, issued his proclamation calling on the citizens of the county for support, and raised a sufficient force to enable him, without bloodshed, to re-possess the county seat, and to resume the discharge of his official duties. Arrests, and indictments for conspiracy to obstruct the administration of justice, and for murders, followed. The conduct and history of these cases belongs to the Judicial, not the Executive, department of the Government.

Meantime, the Adjutant General had been dispatched to the county, with directions to take, by my authority, such measures as might be required, under the provisions of the Constitution and laws of the State, in order to render full protection and assistance to the local civil authorities. The former militia of the county was disbanded; the Sheriff's armed posse was organized as a militia force, armed and equipped, and an additional body of State Guards, selected for good character and standing, and freedom from partisan bias, was formed, to assist these authorities in case of need. The value of this precaution became evident in the following year, when the prompt, resolute, and impartial conduct of some of the force so organized, alone interposed to prevent wholesale executions by mob law, and the destruction, by fire, of the county-seat.

In February, 1877, I received, simultaneously, from several sources, information that grave trouble was again at hand in

Scott County. I do not know that I can better describe the condition of affairs there, at the time, than by citing, in substance, the language of a statement subsequently addressed to the public by gentlemen, some of whom are prominent citizens of the county, and all thoroughly conversant with the situation as it stood:

"While the greater portion of the County of Scott has been in the enjoyment of peace and good order, there has occurred at the county-seat, and in its vicinity, during the past six years, a series of most shocking assassinations, followed by few indictments, by fewer trials, and by no single instance of punishment, or even of conviction. A feeling of insecurity, amounting almost to terror, existed; the course of justice was paralyzed; immigration, and the general prosperity, were most seriously affected; real property had become lessened in value; and at last it was a question whether the quiet and law-abiding citizens of the county were longer to remain with safety within certain portions of its limits. The feeling of insecurity was intensified by the seemingly impenetrable secrecy with which the work of assassination was conducted. No man knew at what moment he might be made the victim, or whence the blow was to come; and every effort to unravel the mystery by investigation in the courts, failed utterly. In short, the state of affairs was more deplorable than any person not familiar with the facts could be prepared to believe."

A fresh assassination, again at night, and from an ambush, had created, in Scott and in the borders of adjacent counties, an intense public excitement. I was appealed to, by the friends of the murdered man, for the issue of rewards, for protection to the lives of witnesses on the part of the prosecution, and for offers of amnesty, on the usual conditions, to certain parties, fugitives from justice, who were supposed to possess the clue to the whole series of homicides perpetrated. The friends of parties suspected, and the representatives of the more reflecting portion of the community, appealed for the suppression of popular violence, which was threatened. I directed the Colonel commanding the militia of the county to hold himself in readiness to answer promptly any call by the local authorities. A large body of men—not desperate characters alone, but, as I am informed, in part composed of citizens till then

accustomed to respect the laws—had assembled, determined to put an end to the state of affairs so long existing at the county seat; and proposed, as it is stated, to destroy the town, and put to death numerous parties upon whom suspicion had been fixed. These latter were for the most part identical with the persons afterward examined before the magistrates.

The County authorities called upon the militia to act as a posse; several arrests—of course on regular criminal process—were made; the lives of the accused, and their property, were protected by the militia, acting under the direction of the Sheriff's officers; and the examinations proceeded in due form, according to the course of the law. Public excitement continuing, and an outbreak between rival factions having been prevented only by the resolute conduct of the officers of the militia, the Sheriff, as by statute authorized, made requisition directly upon the military authorities of Franklin County, for an additional force, which was promptly furnished. I caused measures to be taken, through my staff officer present, to procure the reduction of the militia posse to the lowest number consistent with the preservation of order, and to relieve, from time to time, such of the men as were imperatively called to their homes by the necessity of attending to their crops. Although the militia was called into service solely upon the requisition of the Sheriff, whose authority in that regard is unlimited, I caused careful inquiry to be made, from time to to time, as to the actual necessity of their presence. The magistrates urged the retention of the force as a measure of necessity for the protection of the courts; the prosecutors regarded it as indispensable to the safety of the State's witnesses; and the prisoners, through their counsel, insisted upon it for their own safety against violence.

In fact, the course of the authorities appeared to meet universal commendation, until, upon the motion, and in accordance with the recommendation, of the proper legal officers, as well as upon the earnest entreaty of friends of parties murdered, I consented, with the usual pledges of indemnity from prosecu-

tion, to the admission, as State's evidence, of one of the persons charged with participation in some of the murders perpetrated. Several arrests ensued, and a new series of examinations began, which occupied some weeks. As was to be expected, where the parties accused were numerous and influential, an attempt was now made to affect public opinion by complaints of grievance from the course pursued by the officers of the Government; but careful inquiry satisfied me fully, that for these complaints there existed not the slightest foundation. With the proceedings of the courts, as before remarked, the Executive Department is not concerned. Some of the accused were held to await the action of the Grand Jury; but all were eventually released. At the close of the legal proceedings, the militia was withdrawn.

That the employment of martial law, which was warmly urged by leading citizens, not only of Scott but of adjacent counties, and was popularly regarded as the only adequate remedy for the disorders so long existing, might have proved more immediately efficacious than the tedious and not always effective course of procedure in the courts, is not to be doubted; but while the Government was always ready to exercise, in case of necessity, and in one instance did assume, the fullest authority clearly granted by the Constitution and laws, I did not feel justified in availing myself of power conferred by statutory provisions of doubtful constitutionality, or of a remedy which may well be regarded as more terrible, in its ultimate results, than the evil which it undertakes to cure. There appears no reason to regret that a milder, and regular, course was pursued; since many months have now elapsed without further capital crime or fresh outbreak; and it is reported to me, on the best authority, that peace, public confidence, and with them prosperity, are restored, and likely to remain unbroken; and that these results are due directly to the course pursued by the Government.

The slight expenses of the first visit of the militia to Scott, and of the guard furnished to escort prisoners to Union, were

paid from the militia fund of the State. In the second case arising in Scott County, the employment of militia as a posse was purely an affair of the county authorities; the State merely supplying organization and arms, as by law required. I did, toward the close of the period during which the local authorities considered the presence of a militia posse at Waldron necessary, and in answer to the appeal of the commanding officer to the effect that the credit of the county was exhausted, and the men likely to suffer, or be disbanded, for want of supplies, guarantee the faith of the State for payment of a limited quantity of supplies for a short period, in case the county should fail to make the account good. As the latter question has not as yet been decided, the matter does not call for present consideration.

When the serious dangers of 1878 arose in Scott County, the credit of the county was undoubtedly gone. A day's rations could not have been furnished. The peril was imminent; and I did not feel disposed, even had it been in my power, as it was not, under the law, to interpose any obstacle to the exercise, by the Sheriff, of his power (Rev. Stat., Secs. 5660-1) to make requisition for militia at the expense of the State. As there was merely a nominal appropriation at my command, it became necessary to procure supplies, and to provide for the future payment of the officers and men, by incurring an indebtedness, for which certificates have been issued by the Auditor; and to cover this deficit, an appropriation will be necessary. I cannot speak in too high terms of the fidelity to duty shown by the citizen soldiery, who, upon the summons of the law, to their great loss, left their crops, and patiently endured, for weeks or months, without present pay, the discomforts attendant on their service; or of the farmers and merchants who, trusting to the honor of the State, voluntarily and cheerfully furnished supplies requisite to the support of the posse; and I trust that reimbursements to these patriotic and law-supporting citizens will be promptly made.

I have no recommendation to present, upon the subject of appropriation for the expenses of the militia for the

next two years. The facts are open to the General Assembly. In the earlier history of the State, a standing appropriation of forty thousand dollars was always at the disposal of the Executive, for the maintenance of law and order, in the last resort. Under our present Constitution, no appropriation remains in force for over two years. The grant for the first two years succeeding the adoption of the Constitution, was $100,000; of which $13,852.45 was actually expended during the period of the administration, and $4,250.97 left for subsequent payment, making a total of only $18,103.42. My predecessor, in accordance with the spirit of ancient usage, recommended an appropriation not to exceed $20,000 per annum. The organization of the militia, under his administration, cost $13,000 of the amount actually expended. That organization cannot be maintained but at some slight cost, and could not, if once allowed to fall in pieces, under present circumstances be restored for the same amount, or without delay which might prove very serious. It is for the General Assembly to determine whether the organization shall be allowed to decay. Statutory enactment, or the want of statutory enactment, appropriation or want of appropriation, cannot affect the constitutional obligation of the Executive to see that the laws are faithfully executed, and to avail himself, when indispensably necessary to that end, of the means which the Constitution places in his hands, in the form of the militia. Appropriation is not necessarily expenditure. It is hoped that sufficient demonstration has been afforded, that the supremacy of the laws will in all cases be maintained, as against any character of opposition, and at any cost. The sole effect of inadequate appropriation must be, to embarrass operations of the county or State authorities—which must nevertheless proceed in the face of any embarrassments,—to weaken the efficiency, and necessarily, greatly to enhance the expense, of the means adopted to enforce the laws. I leave the subject with you.

PAY FOR PROPERTY TAKEN BY THE MILITIA IN 1868 AND 1869.

I have been requested by many persons, to bring to

your notice the question of compensation to citizens whose property was taken, without pay, by the militia, in 1868 and 1869. For particulars in regard to this subject I would refer you to the message of my predecessor. I think the claims should be investigated, and some disposition made of them, that will be just to the claimants and "consistent with the financial condition of the State."

PENITENTIARY.

The report of the Lessee of the Penitentiary, for the last two years, exhibits the following figures:

Number of Convicts in Penitentiary January 1, 1877		398
Number of Convicts received during the year		330
Making a total of		728
Number released during the year:		
By expiration of term	24	
By commutation	117	
By pardons	32	
By deaths	68	
By escapes	12	
		253
Total number remaining January 1, 1878		475
Number received to December 1, 1878		222
Making a total of		697
Number released during the year:		
By expiration of term	64	
By commutations	66	
By pardons	18	
By order of Supreme Court	2	
By deaths	47	
By escapes	4	
		201
Total number remaining December 1, 1878		496

An act of the General Assembly, approved March 8th, 1877, appropriated the sum of $32,000 for "deficiency to meet payment for work done on contract for erecting additional buildings and walls at the Penitentiary." The same act provided "that said sum, and all sums that are now or shall become due on said contract, be paid in bonds of the State, issued under an act to provide means for paying the expenses of the State Government, and to retire outstanding Auditor's warrants and Treasurer's certificates," (approved December 23d, 1874), "at the rate of eighty-five cents on the dollar of the nominal value of said bonds."

At the date of the approval of said act, the sum of $33,333.33 1-3 in currency, had been paid on the contract, leaving a balance to be paid, on the completion of the work, of $98,666.66 2-3. The work was completed in the latter part of

October, 1877; was received by the Commissioners, and final payment made, November 1st, 1877. The total amount paid under the act referred to, was $116,000 in bonds, and $66.66 2-3 in overdue coupons. In the opinion of the Commissioners, the work was well and faithfully done, with excellent materials.

The quarterly reports of the physician will show the condition of the convicts as to health, etc. He urges the necessity of improved hospital accommodations; and it is hoped that his recommendations will be adopted.

PARDONS, ETC.

Herewith I transmit a list of reprieves, commutations and pardons, granted by me from January 10th, 1877, to December 1st, 1878. It will be seen that I have pardoned fifty convicts out of the Penitentiary; have released from fines and imprisonment in county jails, fifty-five; have commuted the sentence of death passed on three persons, to imprisonment for life; and under the provisions of the act of January 31st, 1867, have granted, for exemplary conduct during their confinement in the Penitentiary, commutations of sentence to 177 prisoners.

PUBLIC BOARDS.

I feel it a duty to invite the attention of the General Assembly to the undue and impolitic addition of statutory duties to those imposed by the Constitution upon the Governor of the State. The tendency of legislation for the last few years, has been, to the creation of Public Boards, of which the Governor becomes, *ex-officio*, a member; bodies which are furnished no appropriations for expenses, and attendance to the duties of which absorb time and attention which ought to be devoted to the task demanded by the Constitution. The clerical assistance in the Executive office is already confined, by law, to the narrowest possible limits compatible with efficiency; and it is, really, almost impracticable for the Governor to bestow due attention upon those super-imposed demands, consistently with the proper discharge of other duties. In these views, I have

reason to know that I have the full concurrence of my predecessor, who was placed in a similar situation.

BONDS OF COUNTY OFFICERS.

The law on the subject of approval of bonds of county officers, appears to be defective. The approval of the Judge of the Circuit Court, or of the Judge of the County Court in vacation, subject to confirmation or rejection by the Circuit Court when in session in the county, is now required. In case the County Judge should act unadvisedly in the premises, months must often elapse, as the law at present stands, before the error can be cured by the action of the Circuit Court. I would suggest, in lieu of the present rule, a requirement that the bond be approved, in the first instance, by the Judge of the County Court, and that such approval shall be subject to confirmation, within a brief and reasonable period to be specified, by the Judge of the Circuit Court, whether during session of court or in vacation.

RAILROADS.

I renew the recommendation of my predecessor, that the General Assembly adopt a uniform and definite systen for the taxation of railroads. The present law in regard to the valuation of railroad property is vague and uncertain; no two officers, whose duty it is to value such property, agree as to the rules to be adopted. A law should be enacted that could be easily understood and enforced, and that would be just alike to the railroads and to the State.

This species of property should not be exempted from its proper share of the burdens of Government, nor is such exemption desired by the companies. The roads should be treated in a spirit of fairness and liberality that will encourage the building of more, and the improvement of those already built. Such as are now completed have already been of incalculable benefit to the State; they have brought immigration; they have enhanced the value of property; and have in many ways assisted in building up and improving the country. There are at present some half dozen or more projected lines of rail-

road, within our limits, which, if constructed, would add immensely to the growth and prosperity of the country, and which would be constructed if an enlightened and liberal policy should be pursued towards them.

I would suggest the enactment of a law similar to that introduced into the Senate at the last session, to tax the net earnings of the roads, for a limited time.

In regard to the subject of Swamp and Overflowed Lands of the State, erroneously included in railroad grants by the United States, I refer to that portion of my Message referring to our landed interests.

CENTENNIAL.

I have received from Hon. A. T. Goshorn, Director General of the Centennial Exposition, certificates of award to the State for "National and Industrial Products, No. 1, Group on National, State, and other collective exhibits;" and for "Mineralogical collections, No. 3, Group 1."

Under the agreement between the United States Centennial Commissioners for the State of Arkansas and the Commissioners of Fairmount Park, Philadelphia, the Arkansas centennial building was to be removed immediately after the close of the Exhibition, and the ground occupied by it restored to its original condition. The removal was delayed for a time, with the hope that the Legislature would direct the disposition to be made of the property. The Legislature failing so to do, and the building having been turned over to me by the Commissioners, I employed Messrs. Dryden, Simpson & Co., of Philadelphia, to represent the State in the matter. In April, 1877, positive orders having been given for its removal, Messrs. Baker, Simpson & Co., successors to Dryden, Simpson & Co., sold the building and its contents for the sum of $312.42; of which sum $130.79 was expended in restoring the grounds, paying gas bills, expenses of sale, etc., leaving a balance of $181.83 which has been paid into the State treasury.

W. R. MILLER,
Governor of Arkansas.

EXECUTIVE OFFICE,
January 13th, 1879.

The reading of the Governors message was concluded at 12 O'clock and 45 minutes, Whereupon the Senate returned to its Chamber.

Senator Walker presented a bill entitled an act to fix the salaries of all State officers and the per diem of members of the General Assembly. The bill was read first time and placed on Calendar. On motion of Senator Hartt Senator Remington was added to the committee on Judiciary

On motion of Senator Rice the Senate adjourned until to morrow at 11 o'clock A.M.

M. M. Duffie
President of the Senate

Senate Chamber
Little Rock Ark Jan 16th 1879

space here after resignations

The Senate met pursuant to adjournment at ten o'clock A.M.

President Trippe in the Chair and the roll being called the following Senators answered to their names

Senators

Boyd Clisby Crosby Duncan Ferguson Gantt, Gatewood, Hanna Harris, Hill Jackson, Manley Pennington Rice Rutherford, Terry, Thornton, Tipton Trotter Watson, Whittington Williams and the President pro tem

Absent-seven Senators Armistead, Carlton Herr, Mitchel Stanford White and Wilson

Prayer was had by the Chaplain Rev Mr Buchanan

Senators Armistead Herr Mitchel Carlton Wilson and Stanford appeared within the bar and answered to their names

Under the order of business Senator Boyd sent to the Secretarrs desk the following petition.

To the honorable Senate of Arkansas, Your petitioner would respectfully represent, that at an election held on the second day of September, 1868, for state and other officers, and for members of your honorable body, he was a candidate for Senator of your honorable body from the tenth district, composed of the Counties of Pulaski and Perry, on the ticket known as the democratic ticket. That one W.L. Terry was a candidate for said office on the democratic ticket. That in the County of Perry your Petitioner received 126 votes and the said W.L. Terry received 388 votes. That in the county of Pulaski your Petitioner received 2777 votes and the said Terry received 2321 votes leaving a majority for your Petitioner of 456 votes for said office. That through a conspiracy entered into by the County Clerk of Pulaski County, he was defrauded of 480 votes: That is to say that through the fraudulent of the parties before mentioned there was counted for the said Terry votes and for your Petitioner votes a large number less than he received thereby defeating him and defrauding the people of the said district and depriving them of their choice to represent them in your honorable body

Your Petitioner further represents that in the Township of

Ashley in said County of Pulaski he received 225 votes that in the township of Young in said County of Pulaski he received 11 votes. That in the township of Mannell of said County of Pulaski he received 32 votes, making in all the number of 368 votes cast in the townships above mentioned for your petitioner, the truth of which your petitioner is ready to prove, none of which were canvassed or counted for your petitioner by the County Canvassing board of said County of Pulaski. For the truth of which statement reference is made to the abstract of votes as returned to and filed in the Secretary of State's office.

Your Petitioner further states that he received in the Townships of Eastman of said County of Pulaski 404 votes and that the said Perry received only 174 votes. And by reason of the fraudulent conspiracy aforesaid with which the judges and clerks of aforesaid election in said Township were connected, many votes were returned and counted for your petitioner and — votes were returned and counted for said Perry, thereby defrauding your petitioner of — votes and giving said Perry the benefit thereof thereby making a difference in the said count of votes in favor of the said Perry and altogether the Townships aforesaid a difference of five hundred and twenty four votes. Your petitioner further states that owing to the short time allowed by the statute for taking depositions cases of contested elections for either branch of the legislature and that several days of that time elapsed before the votes were canvassed by the County Canvassing board and announced and from the fact that he could not procure the testimony of witnesses by reason of their being in attendance as witnesses before two justices of the Peace in two contested election cases of Members of the House of Representatives and for other circumstances over which he had no control it was utterly impossible for him to procure the evidence within the time prescribed by the statute. Wherefore your petitioner relying upon the integrity and honor of the members of your honorable body believing that they are desirous of putting an end to election frauds and that they desire that the people of said district be represented in your honorable body by the person whom they

have chosen by their votes to represent them

Wherefore your petitioner asks that your honorable body may take such action in the premises as to them may seem proper that an investigation may be made by a committee of your honorable body to the end that justice may be done

Ben J. Johnson

The foregoing petition having been read Senator Boyd offered the following resolution

Resolved that the petition of Mr. B. J. Johnson praying to be permitted to contest the seat of Mr. L. Terry, be referred to the Committee on Election with instructions to thoroughly investigate the claims of said Johnson and report their conclusion at as early day as possible during the present and that said Committee shall have full power to send for persons and papers such as they may deem necessary.

Boyd of Douglas

Senator White appeared and answered to his name

Senator Dix moved that the petition be referred to the Committee on Election

Senator Clarkson raised a point of order which was that the resolution was not properly before the Senate. Point of order not well taken

Senator White asked for the reading of the resolution which was ordered read. And Senator White offered the following as a substitute for the above resolution

Resolved that the petition of B. J. Johnson be referred to the Committee on Elections, which was adopted and the substitute so referred

The President announced that he had been requested to say that Senators should furnish the Secretary with the number and names of news papers which they required in accordance with the resolution previously adopted.

Mr Dresser that the Committee on Printing be directed to ascertain and report to the Senate upon what terms the news papers heretofore mentioned will be furnished to members and that the Secretary make no order on contract for said papers until a report from the Committee shall have been made

Ferguson

Senator Harris presented the following Resolution which on motion was adopted

Resolved that the

Secretary of the Senate be required to furnish for the use and benefit of the Senate 20 cents worth of Postage Stamps per day to each Senator.

Senator Reid presented the following resolution
Resolved that the several parts of the Governors Message together with the reports and documents appertaining to the several departments be referred to the appropriate Committees as follows namely so much as relates to education to the Committee on education so much as relates to finance and state aid to the Committee on finance
So much as relates to immigration to the Committee on immigration

So much as relates to militia to the Committee on militia

So much as relates to internal improvements to the committee on internal improvements. And on motion the resolution was adopted

Senator Kerr moved that the Secretary notify the House of Representatives that the Senate is ready to meet that body in Joint Session for the purpose of Counting the votes for State officers which motion was ruled agreed to

Senator Reid submitted the following resolution which was declared lost

Resolved that the resolution adopted by the Senate requiring the Secretary of the Senate to furnish the members of the Senate with fifteen daily Times papers be rescinded from and after this date

Mr. Rowland Secretary of the House of Representatives being received within the bar of the Senate delivered the following message

House of representatives
January the 16 1844.

Mr President.

I am directed by the House to inform your honorable body that the House will be ready at 11 O'clock A.M. this day to meet the Senate in Joint session for the purpose of opening and publishing the votes given for Governor and other State executive offices All of which is respectfully submitted

John G. Holland Clerk

Senator Armistead moved that the secretary notify the House of Representatives that the Senate would meet them in Joint session at 11 O'clock A.M. for the purpose of counting and declaring the votes cast for

State officers at the recent election which motion was adopted.

Senator Thornton as Chairman of the Committee to draft rules for the government of the Senate submitted the following as the report of said Committee

Rules for the Government of the Senate of the State of Arkansas Session of 1899.

Opening of Session

1 Presiding officer shall take the Chair each day at the hour to which the Senate adjourned on the previous day. And on taking his seat shall call the Senate to order

Attendance of Members

2 Upon the assembling of the Senate each day the roll shall be called and if it appear there be not a quorum present, the members assembled shall have power to adjourn from day to day and to send the sergeant at Arms or any other person or persons to compel the attendance of absentees

Absence of Members

3 No Member shall absent himself without first obtaining leave of absence of the Senate unless prevented from attending by sickness or other sufficient cause

Order of business

4 If upon the calling of the roll there be a quorum present business shall be transacted with in the following order.

1 Prayer by the Chaplain
2 Reading of Journal of previous day
3 Memorials
4 Petitions
5 Notices
6 Resolutions and Motions
7 Reports of Standing Committees
8 Reports of Select Committees
9 Introduction of Bills
10 Bills on Second Reading
11 Bills on Third Reading
12 Bills from the House of Representatives
13 Unfinished business

Manner of Speaking

When a member speaks he shall address the President standing in his place and avoid personalities

Priority in Speaking

When two or more members shall claim the floor the President shall name the person to speak

but in all cases the member who shall first address the Chair shall speak first.

Regulation of debate

7. No member shall speak more than twice to any one subject without leave of the Senate except a motion to amend or substitute be made and then he may speak to the amendment or substitute

Preservation of order

It shall be the duty of the President to preserve order, prevent personal reflection among members in debate to the question, and he shall have the privilege to speak in explanation of any question of order

Calling to order

When a member shall violate the rules of the Senate he may be called to order by the President or any Senator, and when so called to order shall take his seat unless permitted to explain

Question of Order

All questions of order shall be decided by the President without debate ~~or~~ subject to an appeal to the Senate and the President may call for the sense of the Senate on any question of order

Exceptionable words

If a member be called to order for words spoken in debate the exceptional words shall be taken down in writing that the Senate may be better able to judge whether they are exceptionable or not

Statement of Motions

When a motion is made and seconded it shall be for debate be stated by the President. Every motion shall be reduced to writing if the President or any member desire it

Withdrawal of Motions

Any motion may be withdrawn by the member making it before amendment or postponement or an order to lie on the table or decision

Reconsideration

When a motion has once been made and carried, in the affirmative or negative it shall be in order for any member of the majority to move for the reconsideration thereof the same day or the next but no motion to reconsider shall

being order after the bill resolution, report, and amendment of motion upon which the vote was taken shall have gone out of the possession of the Senate

Interruption

A question regularly before the Senate can be interrupted only by call for the previous question for amendment, postponement committing or adjournment

Rejection of Amendment

No amendment shall be received by the President which destroys the general sense of the original section, Clause, paragraph or other matter under consideration

Order of decision

All questions shall be decided in order in which they are moved except on motion to amend, or substitute which shall have precedence.

Filling of Blanks

On filling up blanks the question shall first be taken on the largest sum, greatest number and most distant day

Previous Question

The previous question shall not be moved by less than two members and shall be stated in this words to wit

Shall the Main Question now put

Precluding Amendments

A motion for the previous question, postponement or commitment shall preclude amendment or debate on the original question

Adjournment

A motion to adjourn shall always be in order except when on a call for the previous question. The main question shall have been ordered to be put or when a member has the floor. and shall be decided without debate

DECISION OF A QUESTION.

22. Any Senator may call for a division of a question, which shall be divided, if it comprehends questions so distinct that if one be taken away the rest will stand entire for the decision of the Senate; but the senate shall decide whether the question admits of division.

OBJECTION TO READING A PAPER.

23. Where the reading of a paper is called for, and the same is objected to by any Senator, it shall be determined by a vote of the Senate and without debate.

YEAS AND NAYS.

24 When the yeas and nays shall be called for by five Senators, the President shall direct the Secretary to call the roll of the Senate, and each Senator, when his name is called, shall, unless excused by the special reasons, declare openly, and without debate, his assent or dissent to the question. No Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

JEFFERSON'S MANUAL.

25. All rules laid down in Jefferson's Manual are hereby declared to be the rules governing the Senate, except wherein they conflict with the rules herein adopted.

PRESIDENT'S PRIVILEGE.

26. The President shall have the general direction of the Senate Chamber. He may name a member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment to a succeeding day.

APPOINTMENT OF COMMITTEES.

27. All committees shall be nominated by the President, unless otherwise ordered by the Senate.

STANDING COMMITTEES.

28. At the commencement of each session the following standing committees shall be appointed. The Committees on Judiciary, on Finance, and on Auditor's and Treasurer's Accounts shall consist of seven members each; all other committees of five members each:

A Committee on the Judiciary.
A Committee on Finance.
A Committee on the Militia.
A Committee on Education.
A Committee on Railroads and other Improvements.
A Committee on Agriculture.
A Committee on Apportionment.

A Committee on Counties and County Lines.
A Committee on Public Roads.
A Committee on Elections.
A Committee on Public Printing.
A Committee on the Penitentiary.
A Committee on Public Building.
A Committee on Memorials.
A Committee on Public Expenditures.
A Committee on Federal Relations.
A Committee on State Lands.
A Committee on Auditor's and Treasurer's Accounts.
A Committee on Claims.
A Committee on Franchise.
A Committee on Engrossed Bills.
A Committee on Enrolled Bills.
A Committee on Corporations.
A Committee on Public Charities.
A Committee on Public Health.

ADDITIONS TO COMMITTEES.

29. Any member shall have the right to move that any Senator be added to any committee; but the Senate shall have the right to determine whether he be added or not.

WHEN COMMITTEES SHALL SIT.

30. No committee shall sit during the session of the Senate, without leave, except the committees on Engrossed and Enrolled Bills, and they shall have leave to sit and report at any time.

CHAIRMAN OF COMMITTEES.

31. The person first named on any committee shall be chairman thereof, unless otherwise ordered by the committee, and the Secretary shall deliver all papers referred to any committee to the chairman; provided that if the chairman be sick or absent, the next person named on the committee shall act as chairman *pro tempore*.

EXCUSING FROM COMMITTEES.

32. Any member may excuse himself from service on a committee, if at the time of his appointment he shall be a member of more than three committees, by cosnent of the Senate.

COMMITTEE OF THE WHOLE.

33. In forming Commitee of the Whole, the President shall leave the chair and appoint a Senator to preside.

RULES IN COMMITTEE OF THE WHOLE.

34. The rules of the Senate shall be observed in Committee of the Whole, so far as they may be applicable, but the following special rules shall be observed:

1. No proceedings in committee shall be entered on the journal of the Senate.
2. The previous question cannot be put in committee.
3. The committee cannot adjourn; but if their business is unfinished, they rise on a question.
4. When the Senate is resumed, the chairman reports progress in the matter under consideration, and asks leave to sit again.
5. When the committee have completed the business referred, a member moves that the committee rise, and the chairman then reports the proceedings to the Senate.
6. All matters under consideration in Committee of the Whole shall be read by paragraphs.
7. Bills under consideration in Committee of the Whole must not be interlined or defaced, but all amendments offered shall be duly entered upon a separate piece of paper by the Secretary, noting the line and page amended, and so report to the Senate.
8. The committee cannot change the title or subject of a bill.
9. If a message is announced during a committee, the President must take the chair and receive it.
10. When any question is decided in Committee of the Whole, it canot be reconsidered by the committee.

READING OF BILLS.

35. Every bill shall receive three readings previous to its being passed, which readings shall be on different days.

FIRST READING.

36. The first reading of a bill shall be for information, and if objections be made thereto, the question shall be: "Shall the bill be rejected?" If there be no objection, the bill shall go to its second reading.

SECOND READING.

37. When a bill is read a second time, it is [illegible] ect to commitment, amendment or engrossment.

BILLS REFERRED.

38. All bills referred shall go [illegible] opriate committee, and be recommitted [illegible] hal passage.

THIRD READING.

39. When a bill is read a third time, the question shall be: "Shall the bill pass?"

ELECTION OF OFFICERS.

40. Whenever any officer, civil or military, shall be elected by the Senate, the vote shall be taken *viva voce* and entered on the journal.

DECORUM.

41. No Senator shall walk out of or across the Senate Chamber when the President is stating a question or addressing the Senate, nor when a member is speaking pass between him and the President, nor shall be smoking allowed during sessions of the Senate.

KEEPING THE JOURNAL.

42. All proceedings of the Senate shall be entered upon the Journal in an accurate and concise manner. Every vote of the Senate shall also be entered upon the Journal, and the contents of each petition, memorial, resolution, motion or other paper, together with the name of the Senator offering the same.

MANNER OF PUTTING QUESTIONS.

43. All questions shall be put in this form, to-wit: "You who are of the opinion the motion (should or should not prevail, as the case may be), will say 'aye;' contrary opinion, 'no.'" Except when the yeas and nays are ordered, and then the question shall be put thus: "You who are of opinion (as the case may be) when your names are called will answer in the affirmative; those opposed, in the negative."

EXECUTIVE BUSINESS—PROCEEDINGS ON NOMINATIONS.

44 When nominations shall be made by the Governor to the Senate, they shall be laid upon the President's table until such time as the Senate may go into executive session, when the President shall lay the same before the Senate. The final question on every nomination shall be: "Will the Senate advise and consent to this nomination?" Which question shall not be put on the same day on which the nomination is received.

EXECUTIVE PROCEEDINGS FURNISHED TO THE GOVERNOR.

45. Nominations approved or definitely acted on by the Senate, shall not be returned by the Secretary of the Senate

to the Governor until after the next executive session, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

SECRECY OF REMARKS ON NOMINATIONS.

46. All information or remarks concerning the character or qualification of any person nominated by the Governor to office, shall be a secret by Senators and officers, but the result of the vote on confirmation or rejection of every nomination, shall be published with the journal of the Senate.

PENALTIES FOR VIOLATING CONFIDENCE OF SENATE.

47. Any Senator or officer of the Senate who shall disclose the secret or confidential business or proceedings of the Senate, shall be liable, if a Senator, to suffer expulsion from the body, and if an officer, to dismissal from the service of the Senate, and the punishment for contempt.

DISPENSING WITH RULES.

48. The consent of two-thirds of the members present shall be necessary to suspend or alter any rule.

ADJOURNMENT.

49. When the Senate adjourns in shall be to 10 A. M. of next succeeding day, unless another day and hour be specifically named.

JOINT RULES

OF THE

Senate and House of Representatives

OF THE

STATE OF ARKANSAS.

JOINT SESSIONS.

1. Where any business shall require a joint session of the Senate and House of Representatives, the Senate, preceded by its officers, shall be conducted into the bar of the House, and there be seated; the President of the Senate taking the Speaker's chair.

OFFICERS OF JOINT CONVENTIONS.

2. The President of the Senate shall be the presiding officer of all joint sessions, and the Secretary of the Senate shall be the Clerk thereof; but the Secretary of the Senate and Clerk of the House shall both keep a record of the proceedings, to be entered on the journals of their respective houses.

MANNER OF PRESENTING BILLS, ETC.

3. All bills, resolutions, votes, and amendments, by either house, to which the concurrence of both is necessary, as well as messages, shall be presented to the other by the Clerk or Secretary of the house from which they are sent, or their Assistant Secretary or Assistant Clerk.

ANNOUNCEMENT OF MESSAGES.

4. When the Secretary of the Senate or Clerk of the House, or either of their Assistants, shall wait upon the other house, notice thereof shall be given to the President or Speaker by the Sergeant-at-Arms or Doorkeeper, who shall declare the same, and a copy of the message be laid on the table of the Clerk or Secretary.

CONFERENCE COMMITTEES.

5. When either body shall request a conference, and appoint a committee for that purpose, the other body shall also appoint a committee to confer; and such conference shall be held at any time and place agreed upon by the chairmen.

CONTENTS OF BILLS.

6. No bill shall be passed by either house, containing more than one subject, which shall be clearly expressed in the title.

ENGROSSMENT OF BILLS.

7. All bills, memorials, or resolutions, ordered to be engrossed, shall be engrossed by the Clerk of the house in which the same originated.

NOTICE OF REJECTION.

8. When a bill or resolution, which has passed one house, shall be rejected by the other, notice thereof shall be given to the house in which the same shall have passed.

ENROLLMENT OF BILLS.

9. When a bill shall have passed both houses, it shall be enrolled by the Enrolling Clerk of that in which it originated.

EXAMINATION OF ENROLLED BILLS.

10. When a bill is enrolled it shall be examined by a joint committeee, composed of three members of each house, appointed as a standing committee for that purpose, and it shall be their duty to compare the enrolled with the engrossed bills, correct any errors they may discover, and report the same forthwith to their respective houses.

SIGNING OF BILLS.

11. After examination and report by the Enrolling Committee, each bill shall be signed first by the Speaker of the House of Representatives, and then by the President of the Senate.

SENDING BILLS TO THE GOVERNOR.

12. When a bill has been signed by the Speaker of the House and President of the Senate, it shall be delivered to the Governor by the Joint Committee on Enrolled Bills, who shall report to each house the day on which such bill was delivered, which report shall be entered on the journals of the respective houses.

MANNER OF ENROLLMENT.

13. No bill, resolution or memorial shall be sent to the Governor for his approval, unless the same shall have been clearly and fairly enrolled without obliteration or interlineation.

DISPENSING WITH RULES.

14. No joint rule shall be dispensed with but by a concurrent vote of two-thirds of each house, and if either house shall violate a joint rule, the question of order may be raised in the other house, and decided in the same manner as in the case of a violation of the rules of such house.

ENROLLMENT OF BILLS.

15. All bills must be enrolled and reported to each house by the Enrolling Committee, within three days after their passage: *Provided*, That if the reconsideration of any bill is moved in either house, previous to its presentation to the Governor, the Enrolling Committee shall hold the same until action is had.

STANDING COMMITTEES

OF THE SENATE.

Session 1879.

ON JUDICIARY.

WILSON, JUDKINS, WHITTINGTON, MITCHEL,
GATEWOOD, TERRY, WATSON, WILLIAMS,
CROWLEY, CARLTON, PENNINGTON.
THORNTON.

ON FINANCE.

KERR, GANTT, HILL, HANNA,
BOYD, CARLTON, WHITE, FERGUSON,
CROWLEY, JUDKINS, THORNTON,

ON MILITIA.

WHITE, HILL, WHITTINGTON, ARMISTEAD,
DUNCAN, CHISM, JUDKINS.

ON EDUCATION.

TIPTON, THORNTON, WATKINS,
WILLIAMS, STANFORD, WATSON.

ON RAILROADS AND OTHER IMPROVEMENTS.

WHITTINGTON, GANTT, CHISM,
MULKEY, CROWLEY, WILSON.

ON AGRICULTURE.

FERGUSON, HARRIS, PENNINGTON,
REID, STANFORD.

ON COUNTY AND COUNTY LINES.

PENNINGTON, GANTT, WATSON,
HANNA, HARRIS.

ON PUBLIC ROADS.

CHISM, WILSON, WILLIAMS,
WATKINS, MITCHEL.

ON ELECTIONS.

HAMPTON, ARMISTEAD, BOYD,
DUNCAN, TIPTON, WHITE,
GATEWOOD, KERR, JUDKINS.

ON PUBLIC PRINTING.

THORNTON, HAMPTON, BOYD,
DUNCAN, RUTHERFORD.

ON PUBLIC BUILDINGS.

MULKEY, PENNINGTON, TERRY,
REID, FERGUSON.

ON MEMORIALS.

ARMISTEAD, WILLIAMS, STANFORD,
RUTHERFORD, THORNTON.

ON PUBLIC EXPENDITURES.

HARRIS, CARLTON, RUTHERFORD,
WATKINS, KERR.

ON FEDERAL RELATIONS.

GANTT, WILLIAMS, WATSON,
REID, BOYD,

ON STATE LANDS.

MITCHEL, HANNA, CROWLEY,
CARLTON, JUDKINS.

ON AUDITOR'S AND TREASURER'S ACCOUNTS.

JUDKINS, HAMPTON, GATEWOOD, HILL,
WILSON, CARLTON, MULKEY.

ON CLAIMS.

GATEWOOD, DUNCAN, CHISM,
KERR, PENNINGTON,

ON FRANCHISE.

REID, STANFORD, WILSON,
FERGUSON, WHITE.

ON ENGROSSED BILLS.

WATSON, TIPTON, BOYD,
TERRY, WHITTINGTON,

ON ENROLLED BILLS.

HILL, KERR, THORNTON,
TIPTON, MITCHEL.

ON CORPORATION.

TERRY, RUTHERFORD, HARRIS,
HANNA, ARMISTEAD.

ON PENITENTIARY.

CROWLEY, WHITE, REID,
CARLTON, HARRIS.

ON PUBLIC CHARITIES.

WATKINS, HANNA, GATEWOOD,
HAMPTON, KERR.

ON PUBLIC HEALTH.

DUNCAN, MULKEY, GANTT,
ARMISTEAD, TIPTON.

On motion of Senator Kerr the further consideration of the report was postponed until to-morrow morning at 11 o'clock

Senator Dunnica as Chairman of the Committee on the part of the House submitted the following report—

Mr President—Your Committee on joint rules who were appointed to meet with a like committee from the House of Representatives beg leave to report—that they have met said committee and as a joint committee adopt without change the joint Rules governing the Joint Session of the last General Assembly.

For joint rules see page 64 of Journal

Senator Kerr moved that the further consideration of the report be postponed until to-morrow morning at 11 o'clock which motion was adopted

The hour 11 o'clock having arrived and being the hour set apart for the assembling of the Joint Session of the Senate and House of Representatives for the purpose of counting the vote cast for State officers at the general election held on the second day of September 1848.

The Senate on motion proceeded to the Hall of the House of Representatives and being their seats the President called the Joint assembly to order

The roll of the Senate being called by the secretary of State they appeared then the following named members were present and answered to their names

Senators Armistead Boyd Carlton Chism Crowley Dupree Duncan Ferguson Gantt Gatewood Hanna Harris Hill Jennings Kerr Mitchell Mulkey Pannington Rice Rutherford Sanford Terry Thornton Tipton Watkins Yancey Ashito Huntington Williams and Wilson

absent and not answering to their names
Senators Hampton & Guerrant being present
and the roll of the House being called
it appeared that the following named
Representatives answered to their names viz
The Speaker Mr Beardsley and
Representatives Archer, Arkins, Barnett
Brown (of Lee) Brown (of White) Bumpass
Burr, Burns Carter, Chilton Conway Crockett
Cushmore Cunningham Davidson (of Sharp)
Davidson (of Ezzard) Dawson, Duncan
Dickerson Fitzer Fishback Flippin Fleer
Furbush Gillum Gruning Haney Hare
Harrison Holder, Holifield, Holman
Jameson Jordan Keith Kemp, King (of
Howard) Lowdermilk Long Quarles
Richard Martin McConnel McCracken
McCurdy Miller of Clark Moir (of Lincoln)
Minor Morris (of Ohio) Murphy Owens
Payne, Pindall Pardy Quarles Richardson
Richmond Rodgers, Simmons Sublett
Stanley Stubbs Tate Taylor Thomas
Turner Tyson Walker (of Columbia)
Walker of Washington, Turner Washburn
Weir Williams and Wright
Those who were
absent and not answering to their names
were
Senators Representatives Berry Hobson
Holman Hudson Joyner Lee (of Anderson)
and Morris of Boone) and a quorum
being present the
President of the Senate
announced that the business before the
Joint Session of the Senate and the
House of Representatives was the counting
and declaring of the vote cast for State
officers at the election held on the second
day of September 1848.
The Speaker of the House
then proceeded to announce the votes of
the several Counties as officially declared
and forwarded by the Clerk of the Several
Counties when it appeared that the following
named Candidates were duly elected to the
offices here given

For Governor votes received

Wm R Miller	88430	
Will-Rice		5
J. W. Cypret		1
W. L. Bell		1
B. S. Fox		1
W. R. Grace		5
J C McGuire		5
E A Crowley		1
Thomas Fletcher		3
Jeff Rice		1
S. O. Clow		2
J C Logan		1
Martin Fenz		2
Scattering		15

For Secretary of State

Jacob Frolic	received	88152	votes
James Horcom	"	72	"
R. J. Rogers	"	4	"
J. J. Baugh	"	1	"
Robert Patterson	"	1	"
B B Beoms	"	4	"
W McCadach	"	5	"
Charles E Cunyham	"	2	"
Scattering	"	2	"

For Treasurer of State

Thomas J Churchill	received	80838	votes
E H Cools	"	1	"
B W Bumfors	"	3	"
J. P. Duck	"	2	"

For Auditor of State

John Crampond	received	86342	votes
William Cleary	"	1	"
N. E. Dubbie	"	5	"

For Attorney General

W. F. Hudson	received	88509	votes
W. R. Cook	"	5	"
W. P. Burrows	"	2	"
Scattering	"	1	"

The votes above recited being declared and the several candidates named having received a majority of all the votes cast at the election on the day above named, the President declared that the same were duly elected to the offices for which they were severally candidates.

Senator Judkins moved that a committee of five two from the Senate and three from the House be appointed to wait upon the officers elected and announce to them that the General Assembly is in joint session. The President appointed as said committee Senators Judkins and Williams representing Wright, Archer and Brown of Lee. Senator Judkins moved that the joint session do take a recess which motion was lost, whereupon the President of the Senate, the purpose for which the two houses had assembled together having been accomplished, declared the joint session dissolved.

The Senate having returned to the Chamber was called to order by the President and the roll being called it appeared that the following senators answered to their names.

Senators Bristow, Boyce, Carlton, Chism, Crosby, Duncan, Ferguson, Garrett, Galloway, Hanna, Harris, Hill, Jenkins, Kerr, Mitchell, Mulky, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Arlington, Williams, Wilson and the President.

Absent—Senator Hampton.

Senator Hanna moved that James H. Lane, Door Keeper of the Senate be given indefinite leave of absence which was granted

Senator Harris
moved that during the absence of Mr
Leon John Campbell be appointed to
fill the position of door keeper
which was agreed to.

Senator Gatewood
moved that on account of illness
the Journal Clerk be granted an
indefinite leave of absence which was
agreed to.

And on motion of Senator
Harris the Senate did journed until
ten o'clock to morrow morning.

M M Duffie President of the Senate

Senate Chamber
Little Rock Ark
Friday January the 17th 1879

The hour of ten o'clock having arrived the
Senate was called to order by the President
pursuant to adjournment. The roll
being called it appeared that the
following named Senators answered
to their names

Senators Brinkley
Boyce Carlton. Chism Crowley
Duncan Ferguson. Garrett
Garrison Harris Hill Jacobs
Kerr Knotts Lindsey Quinn Lyon Rush
Rutherford Stanford Terry. Thornton
Tipton Watkins. Watson White Whittington
Williams Wilson and the President
and a quorum was announced as
being present

Prayer was had by the Chaplain
Rev S. H. Buchanan.

A portion of the
Journal of the previous day was read
and on motion further reading was
dispensed with and an error in the
portion of the Journal read was corrected
on motion of Senator Terry.

Senator Duncan
presented a memorial (Senate memorial
No 3) signed by Thos. M. C. Bingham
in regard to the better management of the
Penitentiary and the instruction and moral
improvement of those confined therein which
was read and on motion was referred

the committee on Penitentiary

On motion of Senator Mitchell, Hon J. R. Jones of Humboldt County was invited to a seat within the bar of the Senate

Senator Paxton submitted a joint-resolution (S.J.R. No 17) instructing the Senators and Representatives of this State in Congress to vote for the unlimited Coinage of Silver into dollars containing 412½ grains, that the same be made a legal tender for the public debt — and for private debts, Also further in instructing them to vote for the abolishment of the National Bank and for the increase of the unlimited State Legal Tender notes to the amount of National Bank Currency now in circulation.

The Resolution was read a first time and ~~referred~~ On motion of Senator Paxton the rules were suspended and read a second time. Then on motion of Senator Paxton the resolution be referred to the Committee on Federal ~~Relations~~ Relations

Senator Dennison offered the following resolution which was received and read

Resolved That the Committee on the Judiciary be and they are hereby instructed to inquire into the expediency of the appointment by the General assembly of a Commission to frame a Constitution for the State of Dakota to be submitted to the qualified electors of the State for their satisfaction or rejection and that they report by bill or otherwise

Senator Armstrong moved that further consideration of the Resolution be indefinitely postponed

Pending discussion

On motion of Senator Commissioner Dr M. M. McGinnis was invited to a seat within the bar of the senate

The roll of the senate being called by the secretary it appeared that the following named Senators were present to their names

Senators Bristow, Boyd, Carter, Chilson, Conroy, Duncan, Ferguson, Grant, Gatewood, Hanna, Harris, Hill, Jennison, Mrs Mitchell, Mulky, Pennington, Rice, Rutherford, Stimpson, Terry, Thurston, Tipton, Watkins, Clarkson, White, Whitney, William, Wilson and the President —

A message from the House of Representatives was received from by a special Committee and announced that they were ready in accordance with instructions of the joint session of yesterday to receive the senate in joint session for the purpose of inaugurating the Governor and administer the oath of office to the several State officers elect.

The messengers receive the senate on motion of Senator Jennison & conducted to the Hall of the House of Representatives

On the assemblage of the joint session the senate in the Hall of Representatives and the President in the Chair

And the roll of the House being called by the Clerk thereof it appeared that the following members answered to their names

Archer
Askew
Barker
Barry
Black (Bun)
Black (Randolph)
Blackwood
Bobo
Brewer
Brinkley
Britt
Brown (Lee)
Brown (White)
Bumpass
Burke
Burns
Carter

Chase
Conway
Crenshaw
Cunningham
Davidson (Sharp)
Davidson (Izzard)
Dawson
Dunby
Dickinson
Feltmore
Fishback
Flippin
Frazier
Gillam
Gunning
Hanely
Hare

Holder
Holman
Hopkins
Holmes
Hudson
Jameson
Jordan
Joyner
Kirk
Kimp
King
Lee (Howard)
Lee (Newton)
Lowdermilk
Lowe
Magee
Maynard

Martin
McBoone
McCracken
McCurtry
Miller (Clark)
Miller (Conway)
Minor
Moore
Morris (Carroll)
Morris (Stone)
Murphy
Payne
Pindall
Pixley
Quarles
Ridge
Richardson
Rodgers
Simmons
Smart
Stanley
Stubbs
Tate
Taylor
Thomas
Turner
Tyson
Walker (Columbia)
Walker (Washington)
Warner
Washburn
Weir
Williams
and
Wright

A quorum of both houses being present Senator Watson moved that a committee of five be from the Senate and five from the House of Representatives be appointed to wait upon the governor and other state officers and inform them that both houses of the Legislature were in joint session and prepared to receive them

The Chair named the following as such committee Senators Watson and Barnes and representatives Simmons, Fishback and Davidson of Sharp

The committee after a brief absence returned and through its Chairman Mr Watson submitted the following report.

To the Senate and House of Representatives in Joint-session assembled, Your committee heretofore appointed to notify the several state officers elect of their election to the several offices and ascertain from them at what time it would be most convenient for them to appear before the general assembly in joint-session to receive the oath of office would beg leave to report that they have discharged their duty and would report that the several state officers elect would suggest 11 O'clock A.M. of the 11 of January 1879

The Governor and other state officers having entered the Hall of Representatives, The President of the Senate stated to them to come forward to the speakers stand where the Governor elect W. R. Miller

was sworn in by Chief Justice English and then conducted to the speakers Chair from which he delivered a brief address

The inauguration of the Governor being concluded, Chief Justice English then administered the oath of office to the other State officers elect—

Jacob Trouch Secretary of State

John Lewarowna Auditor of State

D. J. McLaughlin State Treasurer

W. H. Anderson Attorney General " "

And the business for which the Joint session was convened being concluded the President declared the Joint session dissolved.

The Senate being returned to its Chamber the President called the Senate to order when the roll was called the following Senators answered to their names

Senators Armstrong

Boyd Johnson Kennedy Lincoln

Ferguson Gault Gammon Hamer

Harris-Tilt Jenkins Nun Mitchell

Neely Pinney Rice Rutherford

Stanford Terry Thomas Upton

Watkins Wagner White Whittington

Williams Wilson and the President—Absent—Senators

Hampton—

A quorum was present—and the question before the Senate being the motion of Senator Armstrong to post-pone indefinitely the resolution of Senator Pinney to consideration of the same was resumed after discussion of the subject by several of the Senators the resolution to post-pone indefinitely was put by the Chair a call for the ays and nays being made

and sustained. The vote resulted as follows

Ayes 15 - Nays 15 -

Absent - and not voting 1

Those who voted in the affirmative are senators Armistead Carlton, Chisholm Crowley, Duncan Hanna Herr, Rutherford Tipton Watkins Watson White Whittington Williams and Wilson 15

Those who voted in the negative were Senators Ferguson, Gantt, Gatewood Harris, Hill Jenkins Mitchel Mulkey Pennington Rice Stanford Terry Thornton and the President 15

The vote having resulted in a tie the motion ~~resolution~~ was declared lost

Senator Gantt moved the resolution be adopted and on that - the ayes and nays were called for and the call sustained

Senator Terry moved as a substitute that the resolution be referred to the Committee on Judiciary

Senator White arose to a point of order, that - the ayes and nays being called for the motion is out of order. Which point was sustained by the Chair and the question being shall the resolution be adopted? it was declared in the negative

Ayes 13
Nays 17
Not voting 1

Those who voted in the affirmative are Senators Bayne Gantt Gatewood Harris Hill Jenkins Pennington Rice Stanford Terry Thornton Wilson and the President - 13

Those voting in the negative are Senators Armistead Carlton Chisholm Crowley Duncan Ferguson Hanna Herr Mitchel Mulkey

Rutherford Tipton Watkins Watson White
Whittington and Williams 17

Absent and not voting
Senator Hampton

The motion to adopt
was ~~rejected~~ lost

Senator Jackson
moved that the resolution be referred to the
Judiciary Committee: which was ~~referred~~ adopted

Senator Kerr moved
that the Senate do proceed to the con-
sideration of the report of the committee
on rules which was agreed to

The President-
vacated the Chair and Called Senator
Tipton thereto

Senator Kerr moved
that each rule be declared adopted
as read unless objection be raised at the
time of reading the rules: which was
agreed to —

The first second and
third rules were adopted no objection
being raised. Rule 4 was read and adopted

Senator Kerr moved
that the fifth subdivision of the order
of business be stricken out: which was
agreed to

Senator Kerr also moved
that the thirteenth subdivision entitled
unfinished business to be inserted in
the place of the subdivision stricken
out and be known as subdivision No 5—

Senator Jackson moved
to amend the motion so that the order of
unfinished business shall follow the
subdivision entitled Resolutions and
Motions, the amendment being accepted
by Mr Kerr the Motion as amended was
then voted upon and lost

Senator Jackson
moved that the said thirteenth subdivision
should be placed immediately following

the Subdivision Numbers 2 to 8 and entitled
Report of Select Committee
which was adopted on motion of Senator
Mr Judge Jno Walker of Sebastian County
who appeared in the Senate Chamber was
invited to a seat within the bar

Rules 5.6.7.8.9.10.11.12 and 13
were adopted no Senator raising objection to
them as read

Senator Watson moved that
rule No 14 be amended by striking them
from the words of the majority

Which motion was lost

By consent Senator
Thornton submitted the following
report from the special committee in
regard to supplying Senators with
Newspapers.

Mr President your Committee
to whom was referred Senate resolution
inquiring upon what time the News
Papers heretofore ordered could be
obtained: beg leave to report that
the proposition of the Gazette in
furnishing their daily paper at one
dollar per month and their Weekly at
25 cents per month and the proposition
of the Democrat is to furnish their
daily paper at two cents per copy and
their weekly at three cents per copy
Respectfully submitted

Report received and
on motion adopted and the Committee
discharged.

On motion of Senator
Chism Mr R.E. Sullivan was invited to
a seat within the bar

And on motion of
Senator Jennings the Senate adjourned
until 10 o'clock to morrow

W M Duffie
President of the Senate

Attest
Jno T. Kretzschmar
Secy

State Column
Little Rock Ark
Saturday January 6th 1849

The hour of 10 o'clock having arrived to which the Senate adjourned the Senate was called to order by the President

The roll was called and it appeared that the following named Senators answered to their names

Senators Armistead Boyd Colquin Lockhart Lazowy. Duncan Ferguson. Garrett Gatewood Hanna Hill Jackins. Kirr. Mitchel Mulkey Rice. Rutherford Stanford Terry Thornton Tipton Watkins Walton White Whittington Williams Wilson and the President

Absent—Senators Hampton and Pennington

A quorum was announced as being present

And Prayer was had by the Chaplain Rev S.H. Buchanan,

And on motion of Senator Garrett indefinite leave of absence was granted to Senator Pennington on account of illness in his family

On motion of Senators Armistead and Watkins Col Ferry of Crawford County and Hon Thomas Fletcher ex President of the Senate were invited to a seat within the bar of the Senate

On motion of Senator Whittington, Senator Thornton was added to the Committee on Judiciary

Senator Hanna offered the following Resolution

Concurrent Resolution

Whereas it is conceded that an amendment to the organic law of this State is necessary!

Therefore be it resolved

the Subdivision Amendment No 8 and entitled
Report of Select Committee
which was adopted on motion of Senator
Nunn Judge Wm Walker of Sebastian County
who appeared in the Senate Chamber was
invited to a seat within the bar

Rules 5.6.7.8.9.10.11.12 and 13
were adopted No Senator raising objection to
them as read

Senator Watson moved that
rule No 14 be amended by striking them
from the words of the majority

Which motion was lost

By consent Senator
Thornton submitted the following
report from the special committee in
regard to supplying Senators with
Newspapers

Mr President your Committee
to whom was referred Senate resolution
inquiring upon what time the News
papers heretofore ordered could be
obtained; beg leave to report that
the proposition of the Gazette in
furnishing their daily paper at one
dollar per month and their Weekly at
25 cents per month and the proposition
of the Democrat is to furnish their
daily paper at two cents per Copy and
their Weekly at Three cents per Copy
Respectfully Submitted

Report read and
on motion adopted and the Committee
discharged

On motion of Senator
Chism Mr R.E. Sullivan invited to
a seat within the bar

And on motion of
Senator Jackson the Senate adjourned
until 10 o'clock to morrow

W M Duffie
President of the Senate

Attest
Louis T. Kretzschmar
Secy

Senate Chamber
Little Rock Ark
Saturday January 6th 1849

The hour of 10 o'clock having arrived to which the Senate adjourned the Senate was called to order by the President

The roll was called and it appeared that the following named Senators answered to their names

Senators Armistead Boyd Chunn Cocklon Conway Duncan Ferguson Gantt Hanna Hill Jackson Kirk Mitchell Mulkey Rice Rutherford Stanford Terry Thornton Tipton Watkins Watson White Whittington Williams Wilson and the President

Absent—Senators Hampton and Pennington

A quorum was announced as being present

And prayer was had by the Chaplain Rev S.H. Buchanan,

And on motion of Senator Gantt indefinite leave of absence was granted to Senator Pennington on account of illness in his family

On motion of Senators Armistead and Watkins leave granted to Crawford County and Hon Thomas Fletcher ex President of the Senate were invited to a seat within the bar of the Senate

On motion of Senator Whittington Senator Thornton was added to the Committee on Judiciary

Senator Hanna offered the following Resolution

Concurrent Resolution

Whereas it is conceived expedient and necessary to the organic law of this State is necessary!

Therefore be it resolved

by the Senate of the State of Arkansas the House of Representatives concurring that there be appointed a Committee (Joint) of both houses consisting of five members from the House and four from the Senate be appointed, whose duty it shall be to make diligent inquiry and report to this General Assembly in Joint Session such Constitutional Amendments to be submitted to the people as in their judgment will be conducive to the greatest good of the greater number.

The resolution was then unanimously adopted

Senator Tipton offered the following Resolution which was read

Whereas information has come to this body through trustworthy sources that the prisoners confined in our State Penitentiary have been subjected to cruel and inhuman treatment.

Therefore be it resolved

That a committee consisting of three members be appointed to visit the Penitentiary and investigate the hygienic and general condition of its prisoners and report to the Senate at an early day; the result of their investigation

Senator Boyd moved to amend by adding the words and after treatment after the words general condition: which amendment was accepted by Senator Tipton.

Senator Terry moved that the portion of the Resolution providing for the appointment of a special Committee be stricken out and that as thus amended the Resolution be referred to the committee on Penitentiary. Which was adopted

Senator Wilson submitted the following Resolution which was read

Resolved that the Judiciary

Committee be authorized to employ a clerk for such Committee for a compensation not exceeding three dollars per day

On motion of Senator Kerr the Resolution was so amended as to authorize the Judiciary and Finance Committees to employ a clerk each when deemed necessary by them

Senator Jacquino was called to the Chair

The motion being on the adoption of the Resolution the ayes and nays were called for by Senator Fraser and the call sustained, and the motion was decided in the affirmative

Ayes 22
Noes 5
Not voting 4

Those who voted in the affirmative are Senators

Boyce Chism Carlton Crowley Duncan Gantt Gatewood Hanna Harris Hill Jacquino Kerr Mitchell Reed Rampton Terry Thornton Watkins White Whittington Williams Wilson and the President

Those who voted in the negative are Senators Christian Ferguson Rutherford Tapia and Wilson

Absent and not voting Senators Hampton, Mulkey, and Pennington

So the resolution was adopted

The President resumed the Chair.

Senator Administration Moved that Senators Gatewood and Kerr be added to the Committee on education; which was agreed to and on motion of Senator White Senator Jacquino was added to the same Committee above mentioned

The President announced that he had received a Communication

which he desired the Senate to hear and presented it to the Secretary who read as follows.

Fairy Grotto

To King Oberon and Queen Titania Send greeting by our Messenger Him Bowlah Dale and regret exceedingly that the inclemency of the weather yesterday will prevent our holding our Church Dedication Open House among Mortals this afternoon.

We truly appreciate the Compliment you paid us in adjoining your honorable body to be present at our rites, but we hope you will be kind to us next Saturday afternoon and spend with them Our Fairy in Fairyland.

As it is for benevolent purposes that we have consented to leave our homes of Rose leaves and Mossy gems to Come to Mortals the Mysteries of our fancy Court and wishing our visits to be appreciated we hope to see your honorable body present thereby giving us a kindly welcome to Yon earth

Signed

King Oberon

Queen Titania

Senator White announced the presence of in the Senate Chamber a young Miss of five years of age, the representative of a Charitable institution and asked that she be granted the privilege of presenting her Claims before the Senate

And the President appointed Senator White as a committee of one to escort the little Fire to the speakers Stand, from whence she delivered a brief address inviting the Members of the Senate to assist in making successful an entertainment to be given for the benefit of the Ladies Benevolent Association

Senator Ferguson submitted a joint resolution (S.J.R. No 2) providing for an amendment to the Constitution of the State to be known as Amendment No 1. Resolved declaring that the

General Assembly shall never

S.J.R. N°2

levy a tax to pay either the principal or interest of any bond issued or funded by virtue of any act of the General assembly of this State for any purpose whatever approved between the first day of January 1861 and prior to the 16th day of April 1874

Senator Ferguson moved that the rules be suspended and the Resolution read a second time, which was lost

On motion of Senator Kerr Mr E. S. Runyon of Johnson County was invited within the bar of the House.

SBNoH

Senator Boyd introduced a bill S. B. No 4 entitled an act for the relief of J. F. Bumpler. Which was read a first time.

Senator Boyd moved that the rules be dispensed and the bill read a second time which was not agreed to

Senator Kerr moved that the Senate proceed to the consideration of the rules for the government of the Senate which motion by request withdrawn

SB No 5

And Senator Barnard introduced a bill (S.B. No 5) entitled an act to change the time for holding courts in the sixth judicial district which was read a first and second time

Senator Watson moved that the Senate proceed to the consideration of the rules for the government of the Senate which was agreed to and the Secretary proceeded to read rule 15 which was the first in order and to be considered

The Rule having been read Senator Terry moved to amend the same by the words to lay upon the table after the word committee which was agreed to.

Rules Nos 16-17 and 18 were declared adopted as read

Rule No 19 having been read, Senator Watson moved to amend the Rule by adding thereto the following words

After the main question is ordered the original mover or introducer of the main question shall be allowed half an hour to debate the same which was not agreed to

Senator Boyle moved that the Senate reconsider consideration of Rule 17 which was agreed to

Senator Boyle then moved that all that portion of the rule after the words except motions be amended so as to read to postpone committee amend. or substitute which shall have precedence over each other in the order named. which was adopted

Rules 20-21-22 and 23 having been read were declared adopted no Rules having offered any objection to either as read

Rule 24 having been read the President called the attention of Senators to Section 12 Article 5 of the Constitution of the State. The last clause of which declares that the yeas and nays on any question shall at the desire of any five members be entered on the journal

Senator Stern in compliance with the suggestion and in order that the rule should be in accordance with constitution moved that the word three should be stricken out of the rule and the five substituted in lieu thereof which was agreed to

The bill was then on motion of Senator Gatewood referred to the Judiciary Committee.

S.B. No 6 Senator Gantt introduced a bill S. B. No 6) entitled an act to repeal Section 937-938 and 939. Chapter 32 of Gantt's digest. Which was read a first and second time and on motion was referred to the Judiciary Committee

Senator Thornton introduced a bill (S.B. No 7) entitled an act to repeal Section 15-44, to 15-51 inclusive of Gantt's digest of the statutes of Arkansas which was read a first time and on motion the rules being suspended was read a second time and on motion was referred to the Judiciary Committee

Senator Mitchell introduced a bill (S B No 12) entitled an act to restore to the Arkansas Institute for the Blind Money erroneously Paid into the State Treasury which was read a first and second time and referred to the Committee on Finance

Senator Watson moved that resolution regulating the pay of members be taken from the Calendar for a second reading which motion was lost

Senator Pitts introduced a bill (S.B. No 13) entitled an act providing the time for holding Senate elections which was read a first and second time and referred to the Committee on Elections

Senator White moved that the Senate do adjourn until Monday Morning at 10 O'clock a.m. which was agreed to and the Senate adjourned.

Senate Chamber Monday January 20th 1879
Little Rock Ark

The hour of ten o'clock having arrived being the hour to which the Senate adjourned, the President called the Senate to order and the Roll being called it appeared that the following named Senators were present

Senators Armistead Byrd Carlton Chism Conway Duncan Ferguson Gantt Garrison Hampton Hanna Harris Hill Jacoway Mitchell Overby Pennington Rice Rutherford

Stanyan Thornton Upton Watkins Watson White Williams Wilson and the President—

Absent—Senators Terry and Whittington.

It appeared that a quorum was present—

Prayer was had by the Chaplain Rev S. H. Buckman. The Journal of Saturday was read and there being no objection the same was approved

The President in accordance with the action taken on Saturday creating the new Standing Committee appointed on Committee on Public Charities

Senators Watkins Hanna. Watson Hampton and Rev As Committee on Public Health

Senators Duncan Mulky Grant Armistead and Upton

The resolution of Senator Watson to have the expense of the State and County Programmes being the special order of the hour the President—ordered that it be taken up for Consideration

Senator Watson having spoken at length in advocacy of the resolution and of the official salaries.

Senator White moved to postpone further consideration of the resolution until Wednesday next—the 22 day of Jan and that it be made a special order for that day at the hour of 10 O Clock Am. and 30 minutes. which was adopted

Senator Grant rising to a point of question of privilege and said it appeared that in the proceedings of the Senate as reported in this morning's Gazette there was an error which he wished to correct

The Senator added that on

Last Saturday I introduced a bill to repeal Section 937 and 938 and 939 Chapter 32 of Gaults Digest

The mistake I wish to correct is that my bill was spoken of as amendatory of Chapter 22 instead of Chapter 32 of said digest

Senator Frazier introduced a joint-resolution (S.J.R. No 3) providing for an amendment to the Constitution abolishing the office of County Assessor and empowering the several County Courts to appoint one justice of the peace in each township in a county to assess the property of said Township.

On motion that the rules should be suspended and the bill read a second time was lost

No grammatical correction, merely marked for this matter

Senator Armstrong offered the following resolution

Resolved that the Secretary of State be requested to furnish the Senate with a copy of the Charges against Geb Wrenn lessee of the State Penitentiary prepared by Dr Scott Lee Surgeon for Penitentiary and also a copy of the proceedings of the Board of Penitentiary Commissioners in relation thereto

Senator White moved to amend the resolution by incorporating in it the request that the Secretary of State should also transmit any reply to the Charges of Dr Scott which may have been made by Geb Wrenn the lessee of the Penitentiary

Senator Boyce moved to amend further by requesting that Certain appointments and all other papers and documents coming within the purport of the resolution and now on file in the office of the Secretary of State be likewise transmitted to the Senate

These amendments were accepted and were a part of the resolution and now on file and on motion the resolution as amended was adopted

On motion of Senator Garrett Judge H. B. Stuart of Clark County was invited to a seat within the bar of the Senate

Senator Dunning moved that Senator White be added to the Committee on on Rail Roads which was agreed to

Senator Rice submitted the following resolution

Resolved That the Committee on Judiciary be directed to make diligent inquiry as to whether the use of the writ of Injunction by the Courts of the United States to impede the collection of judgments in such Courts against Counties, Cities and Towns may or can be prohibited by the legislature and that the Committee be directed to report by bill or otherwise. The resolution was adopted

Senator White was called to the Chair

Under the rule Senator Gatewood introduced a bill (S.B. No 14) entitled an act to reduce the salary of the judge of the Court of Common Pleas of Prairie County which was read a first and second time

Discussion was pending as to whether the bill was of a character to require under the provision of Section 26. Article 5 of the Constitution notice of the intention to apply therefor to be published

Senator Gatewood moved that the bill be referred to the judiciary which was adopted

Senator Rutherford introduced a bill S.B. No 15 entitled an act to fix the per diem pay of State officers and members of the General Assembly. Which was read a first time and placed upon the Calendar

Senator Ferguson introduced a bill (S B No 16) entitled an act to fix the salaries of State officers and the pay of members of the General Assembly which was read a first time and placed upon the calendar

S.B. No 17

Senator Watson introduced a bill (S. B. No 17) entitled an act regulating the sale of vinous malt and spirituous liquors which was read a first time and placed upon the Calendar.

Senator Watson moved that fifty copies of the bill be ordered printed which motion was lost

S.B. No 18

Senator Hamer introduced a bill (S. B No 18) entitled an act for the preservation and protection of the fish in the rivers and other waters of this State And on motion of Senator Rice was referred to the Committee on Agriculture

Senator Jennings the Senate adjourned until to morrow morning at ten o'clock

Senate Chamber
Tuesday January 21 1879

The hour of ten o'clock having arrived the hour to which the Senate adjourned the President called the Senate to order and the roll being called it appeared that the following named Senators answered to their names

Senators Armistead Boyle Carlton Chism Cooley Duncan Ferguson Gantt Gatewood Hampton Hanna Harris Hill Jennings Kerr Mitchell Pennington Rice Rutherford Stanford Terry Thornton Tipton Trabrin Grason White Williams Wilson and the President

Absent Senator Whittington

Prayer by the Chaplain Rev Wm Buchanan

and a quorum present

Senator Thornton moved that indefinite leave of absence be granted to Senator Whittington on account of sickness which was agreed to

Senator Long presented the following memorial, which was received and read.

To the honorable Senate and House of Representatives of the State of Arkansas

Your Memorialists the Arkansas Immigration Society respectfully ask your consideration of the necessity of greater efforts being made to secure Emmigration to the State officials private citizens. Corporations the pleasant you Memorialists have done much in this direction, but - lacking the sanction of law and sufficient means to do what - ought to be done to secure for this State its proportion of immigrants coming west. Other States have secured vast - populations and with it riches and prosperity

Among the most effective means they have used to secure emigration has been the placing of this country more well defined before the homes of proper persons together with the expenditure of money to defray the expenses thereof and to advertise their Resources abroad.

Our location, Soil Timber Mineral and other resources are not inferior to Thine but in many are superior The inducements to Agriculture, stock growing manufacturing and in many cases mining are greater than those of others now receiving a population the result of advertising and dissemination of knowledge done years ago.

A proper recognition of this by your body would be a powerful advertisement for the State in itself and a great inducement for individuals, corporations and this Society to greater diligence and efforts than heretofore. Thus will the State rapidly fill with population, our capital be rapidly increased, our taxes lowered, more railroads, public buildings roads and manufactories be built, as is done in other communities

whereon your memorialists respectfully pray your Honorable body to appropriate the sum of Fifteen Thousand Dollars per annum to be expended in printing and circulating such facts concerning the resources, climate and other advantages of Arkansas that will induce thrifty people and capitalists to immigrate here with the intention of making permanent homes and adding to the wealth, comfort and happiness of the State. We recommend that the law authorize the employment of one person who shall be known as "Superintendent of Immigration of Arkansas," together with such other enactments as will insure the honest and faithful expenditure of any and all moneys appropriated for this purpose

J. N. Smither
Pres't Ark Immigration Society

The memorial was on motion of Senator Terry referred to the Committee on Memorials.

Senator Thornton moved that Senator Hampton be excused from observance of the last clause of rule "Forty One". Which was agreed to.

Senator Dipton moved that the following words be substituted for those of Rule 15 and that they then constitute and be known as said rule:

"A question regularly before the Senate can be interrupted only by a motion to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely".

The motion was lost.

The order of business being, Reports of Standing Committees, Senator Wilson, chairman of the Judiciary Committee submitted the following report:

Mr President

The Judiciary Committee to whom was referred, Senate Joint Resolution No 1, that a Committee composed of one Senator from each Judicial Circuit to act with a like Committee on the part of the House of Representatives be appointed to arrange the Judicial Circuits of the State have had the same under consideration and beg leave to report;

That in the opinion of the Committee the present arrangement of the Judicial Circuits suits the public interest and convenience and should not be disturbed by legislation and therefore the proposed Committee is needless.

Senator Carlton raised the question that a portion of the language of the report could be construed so as not to represent exactly the conclusion of the Committee, and suggested that the report be modified;

Thereupon, Senator Wilson moved that the

report be recommitted to the Judiciary Committee,
which was agreed to.

Senator Wilson from the Judiciary, submitted the following report, which was read,

Mr President

The Judiciary Committee to whom was referred Senate Bill No 6 entitled "An Act to change the time of holding Courts in the fifth Judicial Circuit", have considered the same and instruct me to report the same without amendment and recommend its passage.

Senator Quarles moved that the report be adopted and the bill be read a third time and placed on its final passage.

Which was adopted.

The bill being read a third time the Chair announced the question to be,

Shall the bill pass?

Which was decided in the affirmative

Ayes	30
Noes	0
Not Voting	1

Those who voted in the affirmative are;

Senators, Armistead, Boyd, Carter, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Houghton, Hanna, Harris, Heir, Jackson, Kerr, Mitchell, Murray, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Mathews, Watson, White, Williams, Wilson and the President.

None voted in the negative.

Absent and not voting, Senator Whittington

And so the bill passed.

Senator Gantt Chairman of the Committee on Federal Relations submitted the following report which was read.

Mr President

Your Committee on Federal Relations have had under consideration Senate Joint Resolution No 1" and after due and careful consideration of the same report it back without amendment and recommend the passage of said resolution.

On motion the report of the Committee was adopted and the resolution ordered to a third reading and to be placed on its final passage.

And the question being;

Shall the resolution be adopted? It was decided in the affirmative

Ayes 28
Noes 2
Not voting 1

Those who voted in the affirmative are Senators, Armistead Boyd, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Heis, Jenkins, Kern, Mitchel, Mulkey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Williams, Wilson and the President.

Those who voted in the negative are; Senators Carton and Watkins.

Absent and not voting Senator Whittington;

And so the resolution passed.

Senator Thornton from the Judiciary Committee submitted the following report which was read.

Senate Judiciary Committee
of Senate January 20th 1879

Mr President

The Judiciary Committee have considered Senate Bill No 11 "An Act to amend Section 4044 Gantt's Digest and instructed me to report the same without amendment and recommend its passage.

Senator Ferguson moved that the bill be made a special order for to-morrow at 11 O'clock.

Which motion was lost.

Senator Jenkins moved that the rules be suspended and the bill read a third time and placed upon its passage. (Agreed to).

And the question being shall the bill pass?

It was decided in the affirmative.

Ayes 24
Noes 5
Not voting 2

Those who voted in the affirmative are, Senators Boyd, Carton, Crowley, Duncan, Gantt, Gatewood, Hampton, Hanna, Harris, Heis, Jenkins, Kern, Mitchel, Mulkey, Pennington, Reid, Rutherford, Terry, Thornton, Tipton, Watson, White, Wilson and the President;

Those who voted in the negative are; Senators Chism, Ferguson, Stanford,

Mr. Mills and Williams;

Chambers not voting nay; Senators Armstead and Whittington.

And so the bill passed.

Under the rule

Senator Watson introduced a bill (S B No 19) entitled

"An act to repeal an act entitled an act to provide means for paying the expenses of the State Government and to retire the outstanding Auditors Warrants and Treasurers Certificates approved December 23d 1874; also to repeal an act entitled an act to authorize the State Board of Finance to borrow money to pay the expenses of the State Government and to pledge the bonds of the State as security" approved November 16th 1875 and all other acts amendatory of the above entitled acts.

Read a first time and ordered on the Calendar.

Senator Reid introduced a bill (S B No 20) entitled

An act to amend section 56 of an act entitled an act to maintain a system of Free common Schools in the State of Arkansas.

Which was read a first time and the rules on motion being suspended, a second time.

Senator Reid moved that the bill be referred to the Committee on Education.

Which was agreed to

Senator Dorr introduced a bill (S B No 21) entitled.

"An act to authorize the Secretary of State to furnish volumes of Arkansas Reports to Clerks of certain counties".

Which was read a first time.

The order being Bills on second reading, the bill (S B No 14) entitled

"An act for the relief of J. H. Trumbler" was taken from the Secretary's desk read a second time,

It was moved that it be referred to the Finance Committee.

Senator Reid moved as a substitute that as the claim had been for several sessions past an ever recurring subject of investigation, it be referred to a Special Committee of five

The Chair announcing that the motion to refer to a Standing Committee came first in order, and the question was on the reference of the bill to the Finance Committee

And the motion to do

refer was agreed to.

The bill (S B No 3) being "An act to fix the Salaries of all state officers, and the per diem of Members of the General Assembly" was taken up, read a second time and,

On motion of Senator Watson referred to the Committee on Public Expenditures

The bill (S B No 9) being "An act for the relief of minors" was taken up, read a second time and

On motion referred to the Judiciary Committee.

The bill (S B No 15) being "An Act to fix the per diem pay of the members and officers of the General Assembly was, under the rule, read a second time

Senator Rutherford moved that it be referred to the Committee on Public Expenditures.

Which was agreed to.

The bill (S B No 16) being "An act to fix the Salaries of State officers and the per diem of Members of the General Assembly" was read a second time, and on motion of Senator Reid referred to the Committee on Public Expenditures.

The bill (S B No 17) being "An Act regulating the sale of vinous, ardent and fermented liquors was taken up for a second reading;

Pending the reading of the bill a Message from the House by its clerk Wm J. Hovland was received, and who, being invited within the bar of the Senate, read as follows;

House of Representatives
Jany 21st 1879

Mr President

I am instructed by the House of Representatives to inform your Hon Body of the passage by the House of H B #38 "A Bill to authorize the Judge of the County Court of Pope County to hold a special term" and herewith respectfully transmit the same for your consideration.

All of which is respectfully submitted

Wm J. Hovland Clerk

The consideration of the bill (S B No 17) was resumed and Senator Armistead moved to amend Section 20 by adding thereto the following viz;

Provided this act

prohibiting the sale of vinous or fermented liquors in any locality in this state."

The amendment being read a first time was on motion read a second time.

And then,

On motion the bill and amendment were referred to the Judiciary Committee.

Senator Harris moved that Senators Dipton and Ferguson be added to the Committee on Public Expenditures.

The Joint Resolution (S.J.R. No 2) submitting to the qualified electors of the State a Constitutional amendment to be known as amendment No 1 was taken up and read a second time.

Senator Ferguson moved that it be referred to the Finance Committee.

Senator White moved as a substitute that it be referred to the Judiciary Committee

Which was lost

And the motion to refer to the Finance Committee was declared adopted.

The Resolution (S J R No 3) supplementary of the Constitution was taken up and read a second time.

On motion referred to the Judiciary Committee.

Senator White moved in view of the fact that many gentlemen were daily invited to seats within the bar of the Senate and that the accommodations for seating them were deficient, moved that the Sergeant at Arms be instructed to purchase a dozen of chairs, which motion was lost.

On motion of Senator Judkins the Senate at 11.45 A.M. took a recess for fifteen minutes.

The time allotted for the recess having expired the President called the Senate to order and

The roll being called it appeared that the following named members were present and answered to their names viz:

The President Mr Supplee and Senators Armistead, Boyd, Lanston, Blevins, Crowley, Duncan, Ferguson, Hauto, Gatewood, Hampton, Hanna, Harris, Hoey, Judkins, Kern, Michel, Mulvey, Pennington, Reid, Rutherford, Stanford, Berry, Thornton, Tipton, Watkins, Watson, White, Williams, Wilson.

Absent Senators, Whittington.

And a quorum announced

At 12 o'clock M. the President of the Senate announced that the House had arrived

when, in pursuance of the Constitution of the United States and of an Act of Congress, the Senate should proceed to the election of a Senator in Congress as successor to the Hon Stephen A Douglas and to represent the State of Illinois in the Senate of the United States for six years from the fourth day of March next.

Nominations were then declared in order.

Lord Senator Harris nominated R W Johnson

Senator Chasin nominated J. D Walker.

Senator White nominated M. L. Bell

Senator Jenkins nominated Elisha Baxter.

Senator Stanford nominated J. P. Jones

Senator Boyd by consent addressed the Senate and stated that he was authorized to withdraw from the list of Candidates the name of J. P. Jones. who was now lying seriously, if not dangerously ill, in the City.

Then the said name then being no objection thereto, was declared withdrawn.

There being no further nominations the Secretary was directed to call the roll

Lord it appeared that the following named Senators voted for R W Johnson viz:

Senators Carlton, Ferguson, Hampton, Harris, Kerr, Mitchell Muckey, Berry = 8

The following named Senators voted for J D Walker viz:

Senators Comstock, Chain Crowley Duncan Gatewood Hamilton, Rutherford, Sifton, Watkins, Watson, Wilson, = 11

The following named Senators voted for M. L. Bell viz: Senators Chatto, Pennington Thornton, White, Williams Lord the President – 6

The following named Senators voted for Elisha Baxter viz: Senators Hill Jenkins and Stanford) = 3.

Senator Boyd voted for M. L. Rice

Lord

Senator Rice voted for

C. P Dunnett.

Absent and not voting Senator Whittington

Recapitulation of the vote for Senator in Congress

R W Johnson	—	8
J D Walker	—	11
M. L. Bell	—	6
Elisha Baxter	—	3
M. L. Rice	—	1
C. P. Dunnett	—	1

Total number of votes cast necessary to a choice 16

No one having received a majority of all the votes cast there was no election

And

The President announced that in compliance with the provisions of the Act of Congress the Senate would at Twelve o'clock Meridian to-morrow proceed in a body to the Hall of the House of Representatives, there to cast in joint session a second ballot for Senator in Congress

Senator Whitmore moved that the Senate do adjourn.

Which motion was agreed to.

And then at Twelve o'clock and 15 minutes P.M. the Senate adjourned until 10 o'clock to-morrow morning

M. M. Duffie
President of the Senate

Attest
Lou J. Kadechman
Secretary

Senate Chamber
Wednesday January 22 1879

The hour of ten o'clock A.M. having arrived, the President called the Senate to order.

The roll being called it appeared the following named members were present and answered to their names viz;

The President, the Senators

Armistead, Boyd, Carlton, Chisin, Crowley, Duncan, Ferguson, Gantt, Halewood, Hampton, Hanna, Harris, Hill, Jenkins, Kerr, Mitchell, Mulkey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tillman, Watkins, Watson, White, Williams, Wilson.

Absent Senator Whittington

Prayer by Rev Dr Parks of Mississippi.

The Journal of yesterday having been read and no corrections being made thereto it was approved.

On motion of Senator Armistead, Col Tillman and Maj Gilder, of Franklin County were invited to seats within the bar.

On motion of Senator Gantt, Judge Thos Gin and Duncan Flanagan of Clark County were tendered the courtesies of the floor.

On motion of Senator Chisin Judge Walker of Yell County and Col Wm Evans as Judge Manzbria were invited to seats within the bar.

Under the order of business Senator White presented the following communication and accompanying Memorial which were read.

Pine Bluff Ark
January 20th 1879

To Hon H King White Senator
and Hons J A V Henderson
Richard C Dawson and
W. G. Payne Representatives
Gentlemen

The Hon Mayor and Board of Aldermen of the City of Pine Bluff requested me to forward the inclosed memorial to the Representatives in the General Assembly from Jefferson County and to ask their cooperation for their relief prayed for in the memorial. I feel satisfied that you will do all you can in the premises.

Yours truly
John M Elliott
City Attorney

To the Senate and House of Representatives of the State of Arkansas

Your memorialists, the citizens and tax payers of Pine Bluff Ark through the Mayor and Board of Aldermen of said City would respectfully represent and show, that the bank of the Arkansas River forming the river front of the City of Pine Bluff Arkansas is of a greatly caving nature; and that within the last two years property of the value of over a million dollars has caved into said river; that the property of said City is overburdened with taxation and debt, and the City authorities are powerless to devise the necessary means to repair and permanently improve said river bank; that with the permanent improvement and repairing of said river bank great good and incalculable benefit will accrue to the citizens and property of said City.

In view of the foregoing facts, and many others that might be stated, we respectfully ask your honorable body to pass a memorial petitioning the Congress of the United States for an appropriation of Twenty Thousand dollars from the Treasury to commence for the purpose herein stated. And as in duty bound your memorialists will ever pray &c

E. Burnie Mayor &c
The Board of Aldermen & others

On motion the memorial was referred to the Committee on Memorials

Senator Chism presented a memorial being a transcript of proceedings held in the County Court of Logan County at the October term 1877 stating that the assessments of the real and personal property of said County was totally destroyed by fire on the 19th day of October 1877: that on account of the total destruction of the records as aforesaid it is utterly impossible to reinstate such assessments as made by the Assessor of said year; that accordingly it was adjudged and decreed that the Assessor should make a new and complete assessment of property on the first Monday in September 1877; and that the assessments so made should stand in the place and stead of the assessment heretofore made. It was further ordered that the Honorable Legislature of the State of Arkansas be requested to legalize by special act the order of said Court as well as the assessment ordered and that a copy of the order be certified to the Auditor of State and be sent to the President of the Senate and the Speaker of the House of Representatives.

Senator Chism moved that the Memorial be referred to the Committee on Judiciary

which was adopted.

The hour of Six O'clock & Thirty minutes having arrived the chair announced a Special Order further being the resolution of Senator Watson providing for the reduction of expenses of State and County Governments.

Senator White moved that the consideration of the resolution be further postponed until Monday next the 27th inst.

Senator Matson moved that it be postponed until to-morrow at Eleven O'clock.

The question being on the motion to postpone until Monday next at Eleven O'clock

It was agreed to

Senator Kerr presented the following petition which was read.

Gentlemen of the Legislature
Honorable Bro

As it has pleased Providence to bestow upon me, humble as I am, some talent as a Composer, bearing chiefly toward poetry, and as I have on hand four or five volumes ready for publication; wishing also the merger name thereof to shew by myself and at two or three relatives, members of our multitudinous family have like unique similar name, and similar wish, I therefore pray your honorable bodys to change my humble name from Jacob L. Collins to that of Jay Guy Collins that I may be distinct.

Respectfully yours
J. L. Collins
Charleston Franklin County January 1. 1879

On motion of Senator Kerr the petition was referred to the Committee on Memorials

On the order of business

Senator McLean chairman of the Judiciary Committee, submitted the following report which was read.

Mr President

The Judiciary Committee, to whom was referred Resolution No 1 "That a Committee composed of one Senator from each Judicial Circuit to act with a like Committee on the part of the House of Representatives to arrange the Judicial Circuits of this State" have had the same under consideration and have instructed me to report

That with the opinion of the Committee the proposed Committee is needless and should not be raised

Senator Dunkins moved that the Resolution

be indefinitely postponed

Which was adopted

Senator Kirr, Chairman of the Committee on Finance submitted the following report which was read.

Mr President

Your Committee on Finance have had under consideration Senate Bill No 12 entitled "An act to restore to the Arkansas Institute for the Blind money erroneously paid into the State Treasury" and have directed me to report the same back to Senate with the recommendation that it do pass

Respectfully submitted

On motion the report was adopted

Senator Mitchell moved that the rules be suspended and the bill read a third time and placed on its final passage. Carried

The bill having been read a third time the President called the attention of the Senate to the fact that the act was one providing for the appropriation of moneys and should therefore be considered before final passage in Committee of the Whole. And thereupon

Senator Dudkins

moved that the vote by which the bill was passed to a third reading should be reconsidered in order that the Senate might go into the Committee of the Whole on its consideration. Which motion was agreed to.

And then on motion the Senate went into a Committee of the Whole to consider the bill, with Senator Kerr in the Chair.

Pending discussion in Committee on the bill the President took the chair and called the Senate to order to receive a message from the House by its Assistant Secretary Mr Smith, who, being invited within the bar of the Senate read as follows

Hall of the House of Representatives January 22d 1879

Mr President

I am instructed by the House to inform your Honorable Body that the House will be ready to receive the Senate in Joint Session at 12 O'clock M to ballot for a U. S. Senator.

All of which is respectfully submitted

John S. Holland. Clerk

The message having been received the Senate again resolved itself into a Committee of the Whole and

after sometime spent therein, and through its Chairman submitted the following report

Mr President

Your Committee of the whole

S.B. 12. on Senate Bill No 12, "An Act to restore to the Arkansas Institute for the Blind money erroneously paid into the State Treasury", beg leave to report, that they have had the same under consideration and would report the bill back to the Senate with the recommendation that it do pass and that the Committee be discharged.

On motion the report of the Committee was accepted and the Committee discharged.

Senator Jackins moved that the bill be read a third time and placed upon its final passage which was agreed to.

And the question being

Shall the bill pass?

It was decided in the affirmative

Ayes — 25
Nays — 4
Not voting — 2

Those voting in the affirmative are Senators

Armistead, Boyd, Carter, Chism, Crowley, Duncan, Ferguson, Gault, Gatewood, Hampton, Hanna, Harris, Hill, Jackins, Kean, Mitchell, Murray, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tilton, Watkins, Watson, White, Williams, Wilson and Mr President

Those voting in the negative are Senators Aleaton, Gault and Pennington.

Absent and not voting Senators Cantrell and Whittington

And so the bill passed

The President announced that in reply to a recent resolution of the Senate he was in receipt of a communication from the Secretary of State with a number of accompanying documents relating to the Keeping and management of the State Penitentiary which he would to the Secretary for action only by the Senate

Office of the Secretary of State
Little Rock Ark July 21st 1879

Hon W. M. Dabbs
President of the Senate

Sir

In accordance to resolution and amendments thereto passed in your Honorable Body

and the Right Asking for copies of "charges against Gen. Zebulon Lesueur of the Penitentiary preferred by Dr. C. F. Pratt, late Surgeon of that institution, also copy of the proceedings of the Board of Penitentiary Commissioners in relation thereto, also the reply to the charges of Dr. Pratt by Gen. Zeb. Mardi, also certain affidavits and all other papers and documents on file in the office of Secretary of State in relation thereto"

I beg leave to transmit the same in duplicate, the original remaining on file in my office

With respect I am Your Obt Servt

Jacob Frolich

Sec State

Senator White moved that the communication and accompanying documents be referred to the Committee on the Penitentiary.

Senator Kern moved as a substitute that the papers be read and thereafter referred to said Committee.

Which motion was agreed to

After the reading of the documents Senator Jenkins proceeded with some remarks.

Senator Jenkins moved, that the further reading of the same be dispensed with until to-morrow morning

Which was agreed to

On motion of Senator Kern the Senate took a recess for ten minutes

The time allotted for the recess having expired the President called the Senate to order.

On motion the roll call was dispensed with.

The Hour of 12 o'clock M having arrived the President declared that it was, according to Act of Congress, the duty of the Senate to proceed to the Hall of the House of Representatives, and there, in Joint Session, determine whether any one had received, in the ballots cast by each House on yesterday, a majority for U. S. Senator

Whereupon

The Senate proceeded in a body to the Hall of the House of Representatives

Joint Session of the Two Houses of the General Assembly

The Senate appeared within the bar of the House, and were seated, the President of the Senate in the Chair who

called the Joint Session to order. The said

The Senate and House of Representatives of the State of Arkansas are now convened in Joint Session, in accordance with the provisions of an Act of Congress to determine whether, on the ballots cast yesterday, in each House separately any one had received a majority of the votes cast in each House and been thereby duly elected to the Senate of the U. S.

The roll of the Senate being called by the Secretary of that body, it appeared that the following named members were present and answered to their names, viz;

The President, Mr Duffie and Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Jenkins, Kerr, Mitchell, Mulkey, Pennington, Rice, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Williams, Wilson

Absent Senator Whittington

And the Roll of the House being called a quorum of each House was announced.

The Journals of both Houses relating to the election of the U. S. Senator from this State, having been read and it appearing that no one had received a majority of the votes in either House for the position.

The chair announced that it was now in order for the members of the Joint Session to proceed to ballot for a U. S. Senator

Then the roll of the Senate being called it appeared that the following named Senators voted

For J D Walker

Senators Armistead, Chism, Crowley, Duncan, Gatewood, Hanna, Hill, Rutherford, Tipton, Watkins, Watson, Wilson = 12

For R W Johnson.

Carlton, Ferguson, Hampton, Harris, Kerr, Mitchell, Mulkey and Terry = 8

For M. L. Bell

Gantt, Pennington, Stanford, Thornton, White, Williams and the President = 7

Senator Jenkins votes for Elisha Baxter.

Senator Boyd votes for M. L. Rice.

Senator Rice votes for G. P. Smoote

Absent and not voting Senator Whittington

Then the roll of the House being called it appeared that

J D Walker received 31 votes

R. H. Johnson received 28 votes
M. L. Bell received 17 votes
Elisha Baxter received 16 votes
C. P. Ouvato received 3 votes
A. W. Bishop received 1 votes

Recapitulation

J. D. Walker	43
R. H. Johnson	31
M. L. Bell	24
Elisha Baxter	16
M. L. Rice	1
C. P. Ouvato	4
A. W. Bishop	1
Total number of votes cast	120
Necessary to a choice	61

And no candidate having received a majority of the votes thrown no election

And the President orders that a second ballot be taken

Second Ballot

The roll of the Senate being called the following named Senators voted for

J. D. Walker,

Crenshaw, Chism, Crowley, Duncan, Gatewood, Hanna, Hill, Rutherford, Sipes, Stathis, Watson, Wilson. 12.

For R. H. Johnson

Crafton, Ferguson, Hampton, Harris, Kerr, Mitchell, Muckey, Perry. 8

For M. L. Bell

Gantt, Pennington, Stanford, Osborn, White, Williams and the President = 7

Senator Duncan his vote for Elisha Baxter

Senator Boyd voted for M. L. Rice

Senator Hill voted for C. P. Ouvato

And the roll of the House being called.

J. D. Walker received = 62 votes
R. H. Johnson received = 28 votes
M. L. Bell received = 17 votes
Elisha Baxter received = 18 votes
C. P. Ouvato received = 3 votes
J. H. Berry received = 1 votes
A. W. Bishop received = 1 votes

Recapitulation of 2d Ballot

J. D. Walker —	44
R. C. Johnson	31
M. L. Bell	24
Elisha Baxter	14
C. P. Smoote	4
M. L. Rice	1
J. N. Berry	1
A. W. Bishop	1
Total number of votes cast	120
Necessary to a choice	61

And no one having received a majority of the votes cast there was no election.

And the President directed the Third ballot to be taken.

Third Ballot

The roll of the Senate being called the following Senators voted for

J. D. Walker.

Armstrong, Chism, Crawley, Duncan, Gatewood, Hamner, Rice, Rutherford, Tipton, Watkins, Watson, Wilson = 12

Mon R. C. Johnson

Cantrell, Ferguson, Hounshell, Harris, Kern, Mitchell, Muckey, Terry, — 8

Mon M. L. Bell.

Hall, Pinnington, Stanford, Thornton, White, Williams and the President — 7

Senator Judkins voted for Elisha Baxter

Senator Boyd voted for M. L. Rice

Senator Rice voted for C. P. Smoote

And the Roll of the House being called

J. D. Walker	received	32 votes
R. C. Johnson	received	23 votes
M. L. Bell	received	17 votes
Elisha Baxter	received	18 votes
C. P. Smoote	received	3 votes
A. W. Bishop	received	1 votes
J. N. Berry	received	1 vote

Recapitulation of 3d Ballot

J. D. Walker	44
R. C. Johnson	31
M. L. Bell	24
Elisha Baxter	14

C. P. Lincoln	4
Wm. L. Rice	1
C. W. Bishop	1
J. N. Berry	1
Total number of votes cast	120
Necessary to a choice	61

And no one having received a majority of the votes cast there was no election and on motion the Joint Session dissolved

The Senate having returned to its chamber it was called to order

And then on motion the Senate at one o'clock P.M. adjourned until to-morrow at 10 o'clock A.M.

M. M. Duffie
President of the Senate

Attest
Lew N. Kelschmar
Secretary

Senate Chamber
Thursday January 23d 1879

The Journal of Sen o'clock A.M. having arrived the President called the Senate to order.

The Roll being called the following Senators answered to their names viz:

The President Mr Dabbs and Senators Armistead, Boyd, Chisim, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Heile, Judkins, Kern, Mitchell, Mulkey, Pennington, Reid, Rutherford, Stanford, Terry Thornton, Dupton, Watkins, Watson, White Williams and Wilson.

And a quorum announced.

Prayer by the Chaplain, Rev Mr Buchanan

Confirmation of Senators Harris, Mr Warner, Clutton of the "Arkansas Traveller" was invited to a seat within the bar.

The Journal having been read it was after correction approved.

On the order of business, Senator Thornton offered the following resolution

Mr President

Be it resolved that the Sergeant at Arms be instructed to remove from the walls of the Senate Chamber the pictures of Grant and Lincoln and place in their stead the likenes of Gen's Stonewall Jackson and Robt E. Lee.

Motion to refer to the Judiciary Committee and the Committee on Finance having been made and discussion thereon arising.

Senator Chisim moved that the motion be laid on the table, on which the ayes and noes were called and the call sustained, and the roll being called the following named Senators voted in the affirmative viz:

Boyd, Chisim, Crowley Duncan, Gatewood, Hanna, Harris, Heile, Judkins, Mulkey, Pennington, Reid, Stanford, Terry, Watkins, Watson, Williams and Wilson.

The following Senators voted in the negative viz:

Armistead, Ferguson, Gantt, Kern, Mitchell, Rutherford, Thornton, Dupton and the President.

Absent and not voting,

Senators Carlton Hampton, White and Whittington.

And so the motion to table was carried.

Senator Perry moved that the Sergeant at Arms be authorized to purchase the portraits of General R. E. Lee and Stonewall Jackson and that they be hung upon the walls of the Senate Chamber.

Senator Chinn moved to amend by adding that of George Washington.

Senator Chinn's motion moved to further amend by adding that of Elisha Baxter.

Senator Watson offered as a substitute for the motion with its amendments that the Chair appoint a Committee of three to select and secure portraits of at least three of the eminent deceased citizens of the State for the decoration of the walls of the Senate Chamber.

Senator moved that the entire matter be laid upon the table.

Which was adopted.

Under the rules,

Senator Wilson Chairman of the Judiciary Committee, submitted the following report which was read.

Mr President

S. B. 14. The Judiciary Committee to whom was referred Senate Bill No 14 entitled "An act to reduce the salary of the Judge of the Court of Common Pleas of Prairie County" have considered the same and are of opinion that the Bill should pass.

On motion the report was adopted.

And Senator Hawkins moved that the rules be suspended and the Bill read a third time and placed on its final passage.

Which was agreed to.

The Bill being read.

And the question being shall the Bill pass?

It was decided in the affirmative.

Ayes 26
Noes 0
Not voting 6

Those voting in the affirmative are Senators;

Armistead, Boyd, Chinn, Crowley, Duncan, Ferguson, Garitt, Isaltwood, Hanna, Harris, Hoie, Jackson, Kerr, Mitchell, Pennington, Reid, Rutherford, Perry, Thornton, Tipton, Watkins, Watson, White, Williams, Wilson and the President.

None voted in the negative.

Senators Mulkey and Stanford, when their names were called asked to be excused from voting

Which requests were granted

Senators Scanlon, Hampton, and Whittington were absent.

Senator Wilson from the Judiciary Committee submitted the following report which was received and read

Mr President

The Judiciary Committee to whom was referred House Bill No 38 entitled "An act to authorize the Judge of County Court of Pope County to hold a special term", have instructed me to report the same back and recommend its passage.

H. B. 38.

The Bill being under consideration Senator Reid moved to amend Section 1 so as to change the time of holding Court from the first Monday in February until the first Monday in March.

The amendment being read a first, the rules on motion were suspended and it was read a second time and adopted.

Senator Judkins moved that the Bill as amended be made the Special Order for to-morrow at 10-30 o'clock A.M.

Under the rule of "Unfinished Business" the reading of the remainder of the documents relating to the management of the Penitentiary, transmitted by the Secretary of State, and accompanying his communication of yesterday, was ordered to be resumed.

Senator Judkins moved that the reading of the papers be dispensed with.

Which was not agreed to.

And the reading of the communication and accompanying documents being concluded they were on motion referred to the Committee on the Penitentiary.

Senator Judkins submitted the following Resolution,

Which was received and read viz;

Resolved that Dr Scott Physician of the Penitentiary be required to furnish to the Senate the names of all sick prisoners, who died from starvation in the Penitentiary while he was Physician of the same.

Senator Reid moved as a substitute that the Committee on the Penitentiary be directed to institute a thorough investigation into all matters pertaining to the management of the State Penitentiary and that they be authorized to send for persons and papers.

which motion was agreed to.

Under the rule,

S.B. 22. Senator Boyd introduced a bill (S B No 22) entitled "An act to prevent cruelty to animals" which was read a first time.

On motion of Senator Rice the rules were suspended and the bill was read a second time.

On motion it was then on motion referred to the Committee on Agriculture.

S.B. 23. Senator White introduced a Bill (S B No 23) entitled "An act to provide a Bond for Costs in suits to contest elections in the Circuit Courts and County Courts of this State".

which was read a first time and the rules being suspended a second time.

The Bill was then on motion referred to the Judiciary Committee

Senator Kirk called to the chair

S.B. 24. Senator Smith introduced a Bill (S B No 24) entitled "An act to donate all the lands forfeited to the State for non-payment of taxes, and all the swamp and overflowed lands lying in the Counties of Clark, Dallas, Cachoma, Ouachita, Hopson, Hot Springs and Pike for the purpose of aiding in the construction of a Railroad in said section".

On motion the Bill was read a first time and under a suspension of the rules a second time.

Senator Duffie moved to amend section 1 by striking out the word "Dallas", which amendment was read a first and second time.

The Bill and proposed amendment were on motion referred to the Committee on Rail Roads.

S.B. 25 Senator Ferguson introduced a Bill (S B No 25) entitled "An act to donate to the respective Counties in which they are situate all lands forfeited to the State for the non-payment of taxes."

During the reading of the Bill a message from the House was received through its Clerk Mr J. S. Holland, who being invited within the Bar of the Senate read as follows

Hall House of Representatives
January 28th 1879

Mr President.

H.B. 16. H.B. 23. I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House of H B #16 "An act to change the boundary line between Baxter and Izard Counties" also H B #23. "An act to reduce the outstanding liabilities of the State" and

herewith transmit the papers for your consideration,
All of which is respectfully submitted
John G. Heilman Clerk

Also the further message
Hall House of Representatives
Jany 23d 1879

Mr President
I am directed by the House to inform your Honorable Body that the House will be ready to receive the Senate in Joint Session at 12 O'clock M for the purpose of balloting for a U. S. Senator,
All of which is respectfully submitted.
John G. Heilman Clerk

The reading of the Bill was resumed and having read a first time was ordered on the Calender.

Senator Armistead introduced

S B. 26. a Bill (S B No 26) entitled "An act entitled an act to repeal Section Two of an Act to regulate the Salaries of Special Judges" approved July 20th 1875;
Read a first time.

Senator Dipton

S B 27. introduced a Bill (S B No 27) entitled "An Act to prohibit retail liquor dealers from selling spirituous, vinous, or malt liquors to habitual drunkards".
Read a first time

Senator Perryman introduced

S. B. 28. a Bill (S B No 28) entitled "An Act to amend Section 69 of the General Act of Incorporation of Municipal Corporations"
Which was read a first time

And on the rule

S. B. 19. S B No 19 was taken up and read a second time

And on motion referred to the Judiciary Committee.

S B No 21

S. B. 21 being "An act to Authorize the Secretary of State to furnish volumes of Maryland Reports to Clerks of Certain Counties" was read a second time

And on motion was referred to the Judiciary Committee

And on the Rule

H B No 16

H. B. 16. "An act to change the boundary line between the Counties of Baltimore and Howard was read a first time and

On motion of Senator Dipton the rules were suspended and the Bill read a second time.

It was then on motion referred to the Committee on Counties & County lines.

On motion of

Senator Boyd. Senator Thornton was added to the Committee on Rail Roads.

H. B. 23. H. B. No 23, "An Act to reduce the outstanding liabilities of the State" was read a first time, and, under a suspension of the rules a second time,

And thereon motion referred to the Judiciary Committee.

Senator Carlton appeared in his seat and answered to his name.

On motion of Senator Quakenbush the Senate at 11 o'clock and 45 minutes A.M. took a recess for 15 minutes.

The time allotted for a recess having expired, the President called the Senate to order.

At the hour of 12 o'clock M. having arrived he announced that the Senate would now, in accordance with the law, proceed to the House of Representatives there in Joint Session to ballot for the election of a U. S. Senator.

The Senate having accordingly in the Hall of the House, we seated, the President in the Chair, who called the Joint Session to order.

The roll of the Senate being called it appeared that the following Senators were present and answered to their names, viz:

The President, Messrs Duffie, Ten Eyck, Senators

Armistead, Boyd, Carlton, Chase, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Quackenbush, Kirn, Mitchell, Mulkey, Pennington, Reid, Rutherford, Stanford, Perry, Thornton, Tipton, Waitkins, Watson, White, Whittington, Williams and Wilson.

The Roll of the House being called and a quorum found present,

A quorum of both Houses announced.

The President declared the business in order before the Joint Session to be to proceed to cast a fourth ballot for the Election of a U. S. Senator,

And the Roll of the Senate being called, the following named for

J. D. Walker,

Armistead, Chase, Crowley, Duncan, Gatewood, Hanna, Hill, Rutherford, Tipton, Waitkins, Watson, Wilson — 12

Hon Rev Johnson
Carlton, Ferguson, Hampton, Harris, Kern
Mitchel, Muckey, Perry, — 8
Hon M. L. Bell
Gantt, Pennington, Stanford, Thornton, White
Whittington, Williams for the President — 8
Senator Boyd voted for Mr. Rice
Senator Judkins voted for Elisha Baxter
Senator Reid voted for C. P. Dunott

And thereupon the House being called

J. D. Walker	received	31 votes
Rev Johnson	received	27 votes
M. L. Bell	received	19 votes
Elisha Baxter	received	15 votes
M. L. Rice	received	2 votes
C. P. Dunott	received	8 votes
A. P. Bishop	received	1 vote
Rob. Newton	received	1 vote

Recapitulation of 4th Ballot

J. D. Walker	—	43
Rev Johnson	—	35
M. L. Bell	—	20
Elisha Baxter	—	16
M. L. Rice	—	6
C. P. Dunott	—	4
A. P. Bishop	—	1
Rob. Newton	—	1

Total number of votes cast 123
Necessary to a choice 62

And no one having received a majority of the votes cast there was no election

A fifth Ballot was ordered and the roll of the Senators being called, the following named Senators voted for J. D. Walker,
Wheelock, Chein, Crowley, Duncan, Galewood, Hanna, Hein, Rutherford, Dipkin, Mathis, Nation, Wilson — 12
Hon Rev Johnson
Carlton, Ferguson, Hampton, Harris, Kern, Mitchel, Muckey and Perry — 8
Hon M. L. Bell
Gantt, Pennington, Stanford, Thornton, White, Whittington, Williams for the President — 8
Senator Boyd voted for M. L. Rice,
Senator Judkins voted for Elisha Baxter
Senator Reid voted for C. P. Dunott

And the Roll of the House being called

J. D. Walker received 82 votes
R. W. Johnson received 27 votes
M. L. Bell received 11 votes
Elisha Baxter received 16 votes
M. L. Rice received 2 votes
C. P. Ouvoto received 3 votes
A. W. Bishop received 1 vote.

Recapitulation of 5th Ballot

J. D. Walker — 44
R. W. Johnson — 85
M. L. Bell — 19
Elisha Baxter — 17
M. L. Rice — 3
C. P. Ouvoto — 4
A. W. Bishop — 1
Total number of votes cast 123
Necessary to a choice 62

And no one having received a majority of the votes cast there was no election.

And thereupon motion, the President declared the Joint Session dissolved.

The Senate having returned to its Chamber, the President called it to order.

Then, on motion of Senator Hunt the Senate at 12 o'clock and 50 minutes P.M., adjourned until to-morrow morning at 10 o'clock.

M. M. Daffin
President of the Senate

Attest
Lou T. Kautschman
Secretary

Senate Chamber
Friday January 24th 1879

The hour to which the Senate had adjourned, 10 o'clock A.M. having arrived, the President called the Senate to order.

The roll being called the following Senators answered to their names:

The President

Mr Duffie and Senators

Arnold, Boyd, Clark, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hamilton, Hanna, Harris, Heil, Judkins, Kerr, Mitchel, Mulkey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, Williams and Wilson

And a quorum announced.

Prayer by the Rev J N Dye Chaplain of the House of Representatives

The Journal of yesterday having been read, it was, after correction, approved.

Senator Gantt introduced a bill for an order to move that the title of Bill No 94 be amended so that it shall conform with the text of the Bill, and that the names of certain Counties could be stricken out and said title.

The President stated that the Bill being by reference, in the hands of a Committee, and not before the Senate, the title could not now be amended, but the Committee might make such a recommendation, or the title could be amended even after the passage of the Bill.

Senator Watson presented a petition which was read, as follows.

To the Honorable the Senator and Representatives of the State of Arkansas.
of the Session of 1879

We, the undersigned Petitioners legal voters of the State, and residents of County, do most respectfully and earnestly pray your Honorable body, at this present session, to provide for, and submit to the voters of the State, at the next General election, an amendment to our State Constitution, prohibiting the importation, manufacture, sale, or giving away of all intoxicating liquors except strictly for Medicinal and other Sciences and purposes.

Respectfully your Constituents

The petition was signed by Jno B Heil, and 98 other citizens of Benton County Arkansas

On Motion it was referred to the Committee on Memorials.

Senator Watkins sent to the Secretary's desk a number of documents relating to the subject of temperance.

Which were referred with the petition.

Senator Wilson submitted the following Concurrent Resolution which was read

Resolved by the Senate, the House of Representatives concurring, that a committee of five be appointed consisting of two from the Senate and three from the House of Representatives to visit the Industrial University and investigate its condition and management, and to report to this General Assembly what appropriation should be made for its support for the next ensuing two years.

On motion the resolution was adopted.

Senator Ferguson presented the following report, which was received and read.

Mr President

Your Committee on Agriculture, have had under consideration Senate Bill No 18 "An act for the preservation of fish in the rivers and other waters in this state." And a majority of them have instructed me to report the same back to the Senate with a substitute and recommend the passage of the same.

S. B. 18.

On motion the substitute Bill was read a first time.

The hour of 2 o'clock and 30 minutes having arrived, being the hour set apart for the consideration of a special order, of a bill of the House, H.B. No 38 entitled "An act to authorize the County Judge of Pope County to hold a special term." the President ordered the bill to be taken up.

H. B. 38.

It was then read a 3d time and placed upon its final passage.

And the question being
Shall the Bill pass?
It was decided in the affirmative
Ayes 24
Noes 0
Not voting 6

Those who voted in the affirmative are as follows

Boyd, Carleton, Chism, Crowley, Duncan, Ferguson, Leach, Underwood, Harris, Hill, Kerr, Mitchell, Muzzy, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Upton, Watkins, Watson, Williams

None voted in the negative

Upon hand and naturalization Senators Hampton, Hanna Dunkins, White, Whittington and Wilson.

Charles Bingham

Senators White and Carlton appeared in their seats and answered to their names.

On motion of Senator Harris Mason Thomas M Newton of Pulaski County was admitted to a seat within the Bar.

The following communication was handed to the Secretary by the President and read

State of Arkansas
Executive Office
Little Rock Jany 25th 1879

To the President of the
Senate and members thereof
Gentlemen

I respectfully submit the following names for confirmation as directors of the Deaf-Mute Institute viz, Geo E Dodge vice Geo R Meeks resigned, Lucien Hampton vice John Wassell resigned, Chas. D Rodgers vice Geo Bishop resigned, R. N. Parham vice D.L. Spiffert resigned.

Very respectfully
W. R. Miller
Governor of Arkansas

The communication was ordered on file, for consideration in Executive Session,

S.B. 29. Senator Mitchell, under the rule introduced a Bill (S B No 29) entitled "An act to define and extend the jurisdiction of Justices of the Peace in certain cases"

Which was read a 1st time

On motion of Senator Galloway the rules were suspended and the Bill read a second time

Senator Mitchell moved that the Bill be referred to the Judiciary Committee.

Which agreed to,

S.B. 30 Senator Crowley introduced a bill (S B No 30) entitled "An act to authorize the Treasurer to issue certificates of indebtedness in certain cases and for other purposes".

Which was read a 1st time

And the rules, on motion, being suspended, a second time.

Also read, on motion, referred to the Committee on State lands.

S.B. 31 Senator Hanna introduced a Bill (S B No 31) entitled "An act to amend Section 2991 of Gantt's Digest.

which was read a 1st time

Pending the reading of the Bill a message from the House was received, through the Assistant Clerk, who being invited within the Bar of the Senate read as follows

Hall House of Representatives
Albany Jan 22 1879

Mr President

I am instructed by the House to inform your Honorable Body of the passage by the House of A B No 67 "A Bill for an act to amend section one of an act fixing the time for holding the Courts of Probate in each County of this State and defining the jurisdiction thereof".

H. B. 67.

And respectfully transmit the same for your favorable consideration

John C Holland Clerk

The reading of (S B No 31) was resumed and having been read a 1st time took its place on the Calender.

S. B. 31.

Senator Galloway introduced a Bill (S B No 32) entitled "An act to authorize the appointment of assistant Prosecuting attorneys"

Which was read a first time and the rules being suspended a second time.

It was then on motion referred to the Judiciary Committee.

Under the rule S B No 26 was taken up and read a second time. On motion of Senator Reid it was referred to the Committee on State Lands.

S. B. 26.

S B No 26 being "An act to repeal section 2 of an act entitled an act to regulate the salaries of Special Judges" approved Feby 8 1876, was read a second time on motion referred to the Judiciary Committee.

S. B. 27.

S. B. 27 being "An act to prohibit retail liquor dealers from selling spirituous, vinous or mathliquors to habitual drunkards" was read a second time

And on motion of Senator Dikeman was referred to the Judiciary Committee.

S. B. 28.

S B No 28 being "An act to amend section 69 of the General act of Incorporation of Municipal Corporations" was read a second time

And on motion of Senator Kerrigan was referred to the Judiciary Committee

26. B. 67 } S. B. 20 }

H B No 67 being a substitute for H B No 20 "an act to amend section one

of an Act fixing the time for holding the Courts of Probate in each County of this State and defining the jurisdiction thereof" was read a first time.

On motion of Senator Hanna the rules were suspended

and the Bill was read a second time.

On motion of Senator Duncan it was then made the special order for tomorrow morning at ten o'clock and 20 minutes

At 11 o'clock and ten minutes am the Senate on motion took a recess until 5 minutes to 12 o'clock

The time for recess having expired the President called the Senate to order.

And the hour of 12 o'clock M having arrived the President announced that the Senate should proceed to the Hall of the House of Representatives there to go into Joint Session for the purpose of the election of a U.S. Senator

The Senate having arrived in the Hall of the House of Representatives were seated to the President in the Chair, who called the Joint Session to order.

The roll of the Senate being called by its Secretary the following Senators answered to their names viz:

The President Mr Dubois

and Senators Armistead, Boyd, Carlton, Chism Crowley, Duncan, Ferguson, Scott, Galewood Hamilton, Hanna, Harris, Hein, Jenkins, Kerr Mitchell, Mulkey, Pennington, Reid, Rutherford, Stanford, Perry, Thornton, Tipton, Watkins, Watson White, Whittington, Williams and Wilson

The roll of the House being called and a quorum found present

A quorum of both Houses was announced

The President announced the business before the Joint Session to be the taking of a sixth ballot for U.S. Senator

And the roll of the Senate being called, the following Senators voted for D Walker

Armistead, Chism, Crowley, Duncan Galewood, Hanna, Hein, Rutherford, Tipton, Watkins Watson Wilson — 12

Gov Rio Johnson

Carlton, Ferguson, Hamilton

Harris, Kerr, Mitchel, Muckey, Pa Perry — 8
Jon M. L. Bell
Arnett, Pennington, Stanford
Thornton, White, Whittington, Williams and the President — 8
Senator Jackins when his name was called withdrew the name of Elisha Baxter and voted for Elisha Baxter
Senator Boyd votes for M. L. Rice
Senator Reid votes for H. P. Dunovte

And the Roll of the House being called

J. D. Walker	received	38	votes
Rev Johnson	received	20	votes
M. L. Bell	received	12	votes
Elisha Baxter	received	4	votes
M. L. Rice	received	3	votes
H. P. Dunovte	received	3	votes

Recapitulation of 6th Ballot

J. D. Walker	—	40
Rev Johnson	—	38
M. L. Bell	—	20
Elisha Baxter	—	6
M. L. Rice	—	4
H. P. Dunovte	—	4
Total No of Votes Cast		121
Necessary to a choice		61

And no one having received a majority of the votes cast there was no election

Senator White moved that the Joint session be dissolved upon which motion the ayes and noes were called and the call sustained.

And the question being shall the Joint session be now dissolved it was decided in the affirmative.

Those Senators who voted in the affirmative are

Boyd, Carlton, Ferguson, Gantt, Hampton, Harris, Kerr, Mitchel, Muckey, Pennington, Stanford, Perry, Thornton, White, Whittington, Williams and the President.

Those who voted in the negative are

Armistead, Chism, Conley, Duncan, Gatewood, Hanna, Hein, Jackins, Reid, Rutherford, Sexton, Watkins, Watson, Watson.

And the roll of the House being called and a majority of the members present voting in the affirmative, the President declared the

Joint Session dissolved

The Senate having returned to its Chamber, the President called it to order

Senator White moved that leave of absence from to-morrow afternoon be granted Senator Carlton,

Which was agreed to.

And on motion of Senator Quakenbush the Senate adjourned until to-morrow morning at ten o'clock

M. M. Duffin
President of the Senate

Attest
Lew F. Ketchum
Secretary

Senate Chamber
Saturday January 25-79

The hour of Twelve o'clock having passed and the President not having arrived, Senator Thornton called the Senate to order and moved that Senator Kerr be appointed President pro tempore.

Which motion was adopted

The roll was called and the following Senators answered to their names viz

Armistead

Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Jenkins, Kirk, Mitchell, Mickey, Reid, Rutherford, Stanford, Perry, Thornton, Dupree, Watkins, Watson, White & Wilson

Absent

Senators, Hampton, Pennington, White, Williams and Whitington,

Prayer by the Chaplain

The President arrived and took the Chair.

The Journal of Friday was read and approved.

The President announced the receipt of a communication from the Superintendent of the Arkansas Institute for the Blind which he handed for reading and was as follows.

Little Rock Ark January 24th 1879

Hon M. M. Duffie
President of the Senate
of the State of Arkansas.

Dear Sir

Permit me in behalf of the Trustees and officers of the Arkansas Institute for the Education of the Blind to extend to the Senate an invitation to visit the Institute in a body at as early a day as may be convenient.

The Senators are also cordially invited and requested to call individually whenever and as often as may suit their convenience while in the City.

Yours Respectfully
Otis Patten Supt

P.N.B.P.

P.S. The Institute is at the head of Center St Main the terminus of the Street Rail Road

O P

Senator Dunaway moved

that the Senate do accept the invitation tendered and name the hour of three o'clock on Tuesday next, the 28th inst. as the time when the Senate in a body should visit the institution.

Which motion was agreed to.

Senator Crowley moved that Senators Dipton and Chism be added to the Committee on Penitentiary.

Agreed to.

Senator Armistead moved that Senator Perry and Senator Hein that Senator Wilson be added to the Committee on Memorials.

Agreed to.

Senator White appeared in his seat and answered to his name.

The Hour of Ten o'clock and Thirty minutes having arrived being the hour set apart for the consideration

H. B. 67. of the Bill (H. B. No. 67) entitled "An act to amend Section 1 of an act giving the time for holding the Courts of Probate in each County of this State and defining the jurisdiction thereof"

It was ordered to be taken up.

The Bill was then read a third time and placed upon its final passage.

And the question being

Shall the bill pass?

It was decided in the affirmative

Ayes 20

Noes 0

Not voting 6

Those who voted in the affirmative are —

Senators

Armistead

Boyd, Carleton, Chism, Crowley, Duncan, Ferguson, Hallett, Vaterwood, Hanna, Harris, Hein, Judkins, Kerr, Mitchell, Mulkey, Rich, Rushford, Perry, Thornton, Dipton, Matthews, Wooten, Wilson and the President.

None voted in the negative

Absent and not voting were Senators, Hampton, Pennington, Stanford, White, Whittington and Williams

And so the bill passed.

Senator Wilson sent to the Secretary's desk the following Communication which was read

Audor Motion referred to the Committee on Agriculture.

Senator Williams appeared in his seat and answered to his name

Under the rule

Senator Duncan introduced a Bill (S B 34)

S.B. 34. entitled "An act to amend an act entitled an act to provide for improving the streets &c of cities of the second class and to make said act to apply to incorporate towns.

Which was read a first time, and on motion, the rules being suspended a second time.

It was then on motion, referred to the Committee on Corporations.

Senator Mitchell introduced a Bill (S B

S.B. 35 No 35) entitled "An act to prevent double taxation.

Which was read a first time.

Senator Mitchell moved that the rules be suspended and the bill read a second time.

Which was agreed to.

And on motion of Senator Thornton the Bill was referred to the Judiciary Committee.

S.B. 36. Senator Ferguson introduced a bill (S B No 36) entitled An Act to abolish the office of adjutant General in this State.

Which was read a first time.

And the rules being suspended a second time.

Senator Ferguson moved that the bill be referred to the Judiciary Committee.

It was moved as a substitute that the bill be made a special order for Monday next at 11 O'clock A.M.

And the question being on the motion to refer.

It was adopted.

Senator Hanna introduced a

S.B. 37 Bill (S B No 37) entitled "An Act for the Government of County boards in making appropriations for County purposes".

Which was read a first time.

A message from the House of Representatives was received by its Clerk, Mr Jno. Herrand who being mounted within the bar of the Senate read as follows.

January 25 1879

Mr President.

I am instructed by the House to inform your Honorable Body that the House will be ready to receive the Senate in Joint Session at 12 O'clock M to-day for the purpose of balloting for U. S. Senator

Map which is respectfully transmitted
Sam'l. J. Howard Clerk.

Senator Armistead introduced a bill (S.B. No 38) entitled "An act calling a special election in White Oak Township, Franklin County and for other purposes
which was read a first time.

S.B. 38.

Under the rule
Senate Bill No 31 being an act to amend Section 2991 of Statutes Digest."
was read a second time
and on motion referred to the Judiciary Committee.

S.B. 31.

Senate Bill No 33 being a substitute for S.B. No 18 and entitled.
"An act for the preservation of Fish".
was taken up and read a second time.
On motion of Senator Harris the bill was ordered engrossed and made a special order for Monday the 27th inst at 11-30 am
and at five minutes after 11 o'clock in the Senate
On motion of Senator Mitchel took a recess until five minutes before 12 o'clock M.

S.B. 33. Sub. for S.B. 18.

The time allotted for recess having expired the President called the Senate to order
and the hour of 12 o'clock Meridian having arrived the President announced that the Senate would proceed in a body to the Hall of the House of Representatives there to go into Joint Session for the purpose of Balloting for the election of a Senator in Congress

Joint Session of the Two Houses of the General Assembly

The Senate having arrived in the Hall of the House was seated and the President of the Senate called the Joint Session to order.

The roll of the Senate being called it appeared that the following Senators were present and answered to their names viz,
Armistead, Bagot, Carter, Cheindorah, Duncan, Ferguson, Grant, Halsworth, Hampton, Harris, Harrison, Heir, Jenkins, Kerr, Mitchel, Murray, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Walkins, Watson, White, Whittington

Williams Wa Wilson

And the Roll of the House being called and a quorum found present.

A quorum of both houses was announced.

President announced the business in order before the Joint Session to be the Casting of a Seventh ballot for one election of a United States Senator

Before Balloting Communication Senator White withdrew the name of M. L. Bell and read a letter from the latter requesting such announcement to be made.

Representative Barry placed in nomination the name of H. M. Rector

And the roll of Senators being called it appeared that the following named Senators voted for J D Walker viz

Armstrong Chesin Crosby Duncan, Halewood Hanna Hein Jenkins, Reid, Rutherford, Sipton, Watkins, Watson, Whittington, Williams, Wilson 16

For Ru Johnson

Barton, Ferguson, Gantt, Hampton, Harris, Kerr, Mitchell, Muckey, Perry, Thornton, White and the President 12.

Senators Boyd and Stanford voted for M. L. Rice - 2

Absent and not voting Senator Pennington - 1

And the Roll of the House being called

J D. Walker received - 52 votes
Ru Johnson received - 35 votes
M. L. Rice received - 2 votes
H. M. Rector received - 1 vote

Recapitulation of 7th ballot

J D Walker	—	68
Ru Johnson	—	47
M. L. Rice	—	4
H. M. Rector	—	1
Total number of votes cast		120
Necessary to a choice		61

And J D Walker having received a majority of all the votes cast he was thereupon declared elected a Senator in Congress for six years from the 4th of March next.

Mr Crosby moved that a Committee of three consisting of one from the Senate and two from the House be appointed to notify Mr Walker of his election

adopted

Senator Whittington & Representatives Wright and Wraly were appointed said Committee

And the business for which the Joint Session had convened, being concluded it was by the President declared dissolved.

The Senate having returned to its Chamber it was called to order by the President

On motion of Senator Judkins Senator Sellwood was granted leave of absence for six days.

On motion of Senators Reid & Wilson, Senators Mitchell and Banta were granted leave of absence until Tuesday next

On motion of Senator Mulkey, Senator Stanford was granted indefinite leave of absence

Senator Crowley moved at 1-20 O'clock PM to adjourn until Monday morning at 10 O'clock AM.

Which was agreed to & the Senate then adjourned

M. M. Duffy
President of the Senate

Attest
Lou H. Ketchum
Secretary

Senate Chamber
Monday January 27-1879

Shortly after Six o'clock P.M. having arrived the President called the Senate to order.

The roll being called the following Senators answered to their names viz:

The President Mr Duffin and

Armstrong, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Hanna, Harris, Heir, Jackins, Kerr, Mitchell, Mulkey, Pennington, Reid, Rutherford, Sery, Thornton, Tipton, Walkins, Watson, White, Whittington, Williams, Wilson.

The following named Senators were absent viz; Carlton Isaacs, Galewood, Hampton & Hufford

And a quorum announced

Prayer by the Chaplain Rev Mr Buchanan.

The Journal of Saturday the 25th ~~and~~ having been read it was approved with the exception of that portion thereof relating to explanations of Representatives Davidson of Sharp and Hallefuch made in Joint Session which portion on resolution of Senator Jackins was ordered stricken out.

A message from the House was received by John S. Holland the Clerk who being invited within the bar of the Senate read as follows

Hall House Representatives
January 27th 1879

Mr President

I am instructed by the House to inform your Honorable body that Hon Ike K Hedman member of the House from Revier County, departed this life on yesterday; that his funeral services will be held in the Hall of the House of Representatives at 12 M to-day: the House out of respect to his memory have adjourned

John S Holland Clerk

Senator Watson rose to a question of privilege and proceeded to explain with reference to statement of expenditures of the Chancery Court embodied in remarks made some days since by him before the Senate and published in the Gazette there was an error, which he desired to correct.

The amount of publishing purporting to be the sum expended for that Court in one year

when the fact and that the sum represents the contingent expenses for two years.

Senator Mickey moved in view of the death of Mr Heolman and the message received from the House, that the Senate do now adjourn.

Which was agreed to

At the hour of 10 o'clock Mr Senators met and came in a body the funeral services to be held over the remains of the deceased in the Hall of the House of Representatives.

Senator Kerr moved that the motion be divided and that that part of it referring to the attendance of the Senate at the funeral services be put first

Which was agreed to

Upon the question being that the Senate do attend in a body the funeral services to be held in the Hall of the House of Representatives at 12 M.

It was agreed to.

The motion to adjourn was then put and adopted and at 10 o'clock and 45 minutes the Senate was declared adjourned until 10 o'clock to-morrow morning

Wm Deffie
President of the Senate

Attest
Lee F. Kutschmar
Secretary

Senate Chamber
Tuesday January 28th 1879

The hour of Ten o'clock am having arrived the Senate was called to order by the President
And the roll being called the following Senators answered to their names viz:
The President Mr Dubbie
And Senators
Armstead Berger
Chism, Crowley, Duncan, Ferguson, Gantt, Hanna
Harris, Hess, Judkins, Kirk, Mitchel, Pennington, Reed
Rutherford, Terry, Thornton, Tipton, Walthis, Watson
White Whitlinghoe, Williams Wilson,
Prayer by the Chaplain
Rev Mr Buchanan
The Journal of yesterday being read
read it was, there being no objection thereto, approved.
Senator Pennington
moved that indefinite leave of absence be granted to
Senator Mulkey
which was agreed to
Senator White moved that leave
of absence for seven days be granted to the Sergeant
at arms, on condition that he provide a competent
person to fill his position during his absence.
Agreed to
Senator Duncan
presented a memorial from the Town Council of
Conway recommending that an act entitled
"An act to provide for the improving the streets, alleys
and public grounds of cities of the second class
in this State" approved March 9th 1877 be so
amended as to include incorporated towns.
The memorial
being read it was on motion referred to the
Committee on Corporations.
Senator Rutherford presented
a remonstrance from John Heidle and Jeffry
Hour & other citizens of Stone County remonstrating
against any portion of Stone County being detached
especially sections sections 6. 7. 8. 9. 17. 18 Township 16
Range 16 which was read.
On motion of Senator Rutherford
the remonstrance was laid on the table subject to
call
Senator Thornton sent to the Secretary's desk
the following which was read

Mr President.

I move to reconsider the motion by which
S.B. 33. Senate Bill No 33 was ordered engrossed and made special order for Monday January 26th at 10-30 o'clock

Which motion to reconsider was agreed to.

Senator Thornton moved that the rules be suspended, so that the bill might be taken up for consideration and amendment.

Which was agreed to.

And the bill being taken up and read,

Senator Thornton moved to amend by inserting after the 20th line the following words "or to take from any river, creek, lake, pond, or other stream or body of water within this state, any fish so specified, intoxicated or killed"

Which amendment was read a first time, and

The rules being suspended a second time

The amendment was then on motion adopted

Senator Thornton

~~Moved that the bill as thus amended be ordered engrossed~~

Which was agreed to

Senator Mitchell for the Judiciary Committee submitted the following report

Which was read

Mr President

The Committee of the Senate on the Judiciary to whom Senate Bill No
S.B. 35 35 entitled "An act to prevent double taxation" have had the same under consideration and herewith return it and recommend its passage

Report received

Senator Gantt of the Committee on Rail Roads and other improvements submitted the following report.

Mr President

Your Committee on Rail Roads and other improvements by leave to present the following report. They have had under consideration S.B. No 21 and after due deliberation on the same have instructed me to report it back without amendment and recommend that it do pass.

S.B. 21. (24)

Senator Chism moved that 150 copies of the bill be ordered printed and that it be made the special order for Thursday next the 30th inst. Which was agreed to.

Senator Perry from the Judiciary Committee submitted the following report which was read.

Mr President

Your

S.B. 31 Committee to whom was referred S.B. No 31. for an act to amend Section 2991 Gantts Digest, have accordingly to order had the same under consideration and have directed me to report a substitute therefor, which is herewith most respectfully submitted by your Committee on Judiciary.

A Message from the House by its Assistant Clerk Mr. Quick was received and the Messenger being invited within the bar of the Senate read as follows.

Hall House of Representatives
January 28th 1879

Mr President

I am instructed by the House of Representatives to inform your Honorable body of the passage by the House of H.B. #4

H.B. 4. An act entitled an act to supply deficiencies with appropriations for salaries for Supreme, Circuit and Chancery Court Judges for the two years ending March 7th 1879

Also

H.B. 30. H.B. #30 "An act to amend an act to fix the time of holding Circuit Court in the County of Ashley."

And herewith respectfully transmit the same for your favorable consideration

John G. Newland Clerk

Sub. for S.B. 31. The Substitute for S.B. No 31 was ordered up and read a first time.

The hour of Sec o'clock and 30 minutes having arrived the Special Order for that hour being Senate Resolution to reduce the expenses of State and County Governments was called up for consideration.

Senator Jackins moved that its consideration be further postponed until 11 o'clock am tomorrow and that it be made a special order for that hour.

Which was agreed to

Senator Fulton moved that the rules be suspended to permit him to introduce a resolution.

And the rules, by consent being suspended, Senator Watson sent to the

Secretary's desk the following, which was read;

Railroad
Pratt

Committee of five Senators be appointed by the Chair to take into consideration the matter of reduction of County expenses and report by bill or otherwise

Adopted.

Senator Pennington Chairman of the Committee on County and County Lines submitted the following report:

Which was read

Mr President

Your Committee on County and County Lines have had under consideration H.B. No. 16 "An Act to be entitled An act to change Boundary line between Baxter and Stone Counties and have instructed by a majority of the Committee to report it back with recommendation that it do pass.

H.B. 16.

Senator Dipton moved that the rules be suspended and the bill read a third time and placed upon its final passage.

Which was agreed to.

Senator Jackson moved that in connection with the bill the remonstrance of citizens of Stone County be also read.

Which was ordered.

Senator Dipton sent to the Secretary's desk a petition signed by Thomas Morton and twelve other citizens, praying the legislature to make a change in the County line dividing the Counties of Stone and Baxter, and in a manner similar to the provisions of the bill.

Which was read.

Senator Dipton also sent to the Secretary's desk proof of publication of the intention to apply for the passage of such a bill, and that such notice had been duly given and in the manner provided by law.

Which was also read.

And the question being
Shall the Bill pass?
It was decided in the negative.

Ayes	8
Nays	17
Not voting	6

Those who voted in the affirmative are

Senators.

Duncan, Hanna, Pennington, Thornton, Dipton, Mathews Watson and White – 8

Those voting in the negative are Senators

Aiguslicar, Boyd, Chism, Crowley, Ferguson, Gantt, Harris, Heir, Jenkins, Kerr, Mitchel, Reid, Rutherford, Sandy, Whittington, Williams and the President.

Absent and not voting Senators

Carlton, Gatewood, Hampton, Mulkey, Stanford, and Wilson.

And so the bill did not pass.

The President announced the following named Senators as the Committee called for by Senator Watson's resolution to take into consideration the matter of reduction of County expenses:

Senators

Watson, White, Williams, Mitchel and Duncan.

Senator Berry from the Judiciary Committee submitted the following report.

Which was read

Mr President your Committee on the Judiciary to whom was referred S.B. No. 29 for an act to define and extend the jurisdiction of Justices of the Peace have according to order had the same under consideration and have directed me to report the same without amendment and recommend its passage.

Report received and under the Rule

Senator Whittington from the Special committee appointed in joint session of both houses of the General Assembly on Saturday the 25th wish to wait upon Hon J D Walker and announce to him his election, reported that the Committee had performed that duty & submitted the correspondence.

Senator Whittington also reported that the Committee had conferred with Mr Walker as to the time when it would suit his pleasure to address the legislature and they had agreed upon to-morrow evening at 7 – 30 P.M.

The report was accepted

Senator Kerr moved that the Committee be continued as a committee of arrangements and that the House be notified that such was the will of the Senate

Which was agreed to

Senator moved that the vote by which H.B. 13

H.B. 16 Was rejected be reconsidered.

Which was agreed to

Senator Kernan

moved that the bill be made the Special order for to-morrow at 10-30 am.

Which was adopted

Senator Chase moved

that the Senate go into Executive Session to consider the nominations made by the Governor for Directors of the Deaf Mute Institute

Which was agreed to

And the Senate being in

Executive Session

Senator moved that the nominations be referred to the Committee on Public Charities to confer with the Governor thereon.

Which was agreed to

And on motion of Senator Judkins the Senate came out of Executive Session.

The Senate then resumed its order of business

And

S.B. 40. Senator Whittington introduced a Bill (S.B. No 40) entitled "An act to amend the road law section 53 31 of Statutes Digest".

Which was read a first time.

Senator Perry introduced

S.B. 41. a Bill S.B. No 41 entitled "An act to amend Section 44 of the Act for the Incorporation of Municipal Corporations" approved March 9th 1875 and to enlarge the jurisdiction of Police Courts.

Read a first time

Senator Judkins introduced a

S.B. 42. bill (S.B. No 42) entitled "An act to repeal Sections 4 6, 10, 14, 24, 29, 32, 34, 40, 42, 56, 58, 59, 61, 62, 65, 69 and 71 of an act entitled an act fixing the regular terms of holding the County Courts of the State and for fixing the salary of the County Judges and the per diem pay of associate Justices in the Several Counties in this State approved Feb 5th 1875 and also to repeal an act entitled an act to amend an act fixing the regular terms for holding the County Courts of the State and for fixing the salary of the County Judges and the per diem pay of associate Justices in the Several Counties in the State approved Feb 5th 1875 approved March 2. 1875 and to fix the regular terms for holding the County

Court and the salary of the County and Probate Judges of the Counties named in this act."

Read a first time

Senator Boyd introduced a bill

S.B. No 43. (SB No 43) entitled "An act to enable the County Courts of the several Counties of the State to use certain moneys that may be in the Treasuries of the respective Counties"

Read a first time

Senator Kerr introduced a bill

S.B. 44. (SB No 44) entitled "An act to repeal Section 882 of Gantts Digest"

Read a first time and under a suspension of the rules a second time.

On Motion of Senator Kerr referred to the Committee on Public Expenditure

Senator Armstead introduced

S.B. 45. a Bill (SB No 45) entitled "An Act imposing a tax and prescribing the mode of collecting the same on the privilege of selling wine, ardent spirits or malt liquors within the limits of the State for the support of the Government and to pay the interest on the public debt.

Read a first time.

The President announced the receipt of a communication which the Secretary read as follows

Auditors Office
Little Rock January 28th 1879

Hon M. M. Duffie
President of the Senate

Dear Sir

Before adjourning this morning will you please give notice to the Senate that there will be an annual meeting of the Arkansas Christian Temperance Union held to night at the Chapel of the Presbyterian Church at 7 O'Clock. that the Senate is cordially and earnestly requested to attend.

The Desk is in receipt of letters from several all the counties in the State from working men asking that their representatives in the Federal Assembly represent them at this meeting. If you will please give this notice you will greatly oblige and help suffering humanity in this great work of reform and confer a favor upon

Yours truly
J. L. Brewer
Pres't Ark C.T.U.

By consent
Senator Armistead submitted the following resolution which was read.

Resolved

That the Secretary of State be requested to entering into correspondence with the Comm. Auditor and other officers of the Commonwealth of Virginia with the view of obtaining all possible information in regard to the practical working of the law commonly known as the Massett Bill Punch Law and that information thus obtained shall be transmitted to the Senate.

Under the rule
Senator White

S.B. 46. Introduced a bill (SB No 46) entitled "An Act to amend Section 2 of an Act to regulate the labor system" approved March 6th 1875.

Read a first time
And under a suspension of the rules a second time.

Senator White moved that it be referred to the Judiciary Committee which was agreed to.

The President announced that he had received a communication from Mr. N. T. Roberts Sergeant at Arms stating that he had selected Mr. Silas Henderson to act for him during his absence.

On motion of Senator Thornton Rep. Dr. Neufville was invited to a seat within the bar of the Senate

On motion of Senator Kean the Senate adjourned until 10 o'clock to-morrow morning

M. M. Duffie
President of Senate

Attest
Lon H. Kretschman
Secretary

Mr. President
Your Committee on Journals have examined the Journals and find the same to be correct

W. H. C. Reid Chairman
C. D. Boyd.
M. M. Duffie

Report received.

Attest
Lon H. Kretschman Sec.

President of Senate

Wednesday

Senate Chamber,
Wednesday, January. 29. 1879.

The hour of 10 o'clock, a.m. having arrived, it being the hour to which the Senate had adjourned, the President called the Senate to order.

And the roll being called it appeared that the following Senators were present and answered to their names, viz=

The President, Mr Duffie, and
Senators Armistead, Chism, Crowley, Duncan, Ferguson, Gantt, Hanna, Harris, Judkins, Kerr, Mitchel, Pennington, Rutherford, Terry, Thornton, Tipton Watkins, Watson, Whittington, Williams,

Absent, Senators Boyd, Carlton, Gatewood, Hampton, Hill, Mulky, Reid, Stanford, White and Wilson.

Prayer by the Chaplain, Rev. Mr. Buchanan

The Journal of yesterday was read, and there being no objection thereto, it was declared approved.

Senator Thornton moved that indefinite leave of absence be granted Senator Reid, on account of illness. Agreed to.

Senators Boyd, Hill, Watson, Watkins and White, appeared in their seats, and answered to their names.

Senator Watkins offered the following concurrent resolution, which was read=

Resolved, that the Committee on Education of the respective bodies of this General Assembly be, and are made a Joint Committee, with the request to take the various propositions submitted to them, by this Legislature, on the subject of Education, or any other information in their possession, on the same subject, and in their report present a plan to be acted upon, by this Legislature better regulating and establishing a permanent system of Common Free schools, in this State, and report at as early a day as practicable.

On motion the Resolution was adopted

Senator Wilson, Chairman of the Judiciary Committee, submitted the following report=

S.B. No. 36.

Mr President – The Judiciary Committee, to whom was referred Senate bill No 36, entitled an act to abolish the office of Adjutant General, have had the same under consideration, and

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instructed me to report the substitute bill, in lieu of the original bill, herewith transmitted; and recommend that the substitute bill pass x

Pending discussion on the report and subject matter of the substitute bill — Under the Rule

S.B. No. 33

Senator Watson, Chairman of the Committee on Engrossment, sent to the Secretary's desk Senate Bill No 33, being a substitute for Senate Bill No. 18 entitled "a Bill for the Preservation of Fish", and reported the same correctly engrossed x

H. R. no. 16

The hour of ten o'clock and thirty minutes having arrived, being the hour set apart for the consideration of the Bill of the House (H. R. No 16) entitled "an act to change the Boundary line between the Counties of Stone & Dayton, it was ordered up x

Senator Kerr moved that the vote by which the bill was rejected be reconsidered x agreed to x

Senator Kerr then moved that the bill be recommitted to the Committee on County and County Lines x which was agreed to x

S.B. No. 47

Consideration of the Substitute reported by the Judiciary Committee, for Senate Bill No. 36 being resumed, it was read a first and second time x

Senator Armstead moved that its further consideration be postponed, until 11 o'clock tomorrow morning, and that it be made the special order for that hour x

Which was agreed to x

S.B. No. 32

Senator Wilson from the Judiciary Committee submitted the following report =

Mr. President = your Committee on Judiciary, to whom was referred Senate bill No. 32, entitled "an act to authorize the appointment of assisting Prosecuting attorneys" have considered the same and instructed me to report back the same with the following amendment, to-wit; Strike out section 5, and insert in lieu thereof the following:

Section 5 - No assistant Prosecuting attorney, appointed under this act shall receive any compensation from the state or any County, but shall, in all cases, where he is present and prosecuting, be entitled to have his fees taxed as costs against the defendant, in case of conviction, in the same manner as could the regular Prosecuting attorney, if present and Prosecuting, and shall have the same remedies for collecting such fees, except that none shall be allowed against any County x

Tuesday Jany 29/79

The Committee declines to make any recommendation.

The bill and report on motion of Senator Judkins were laid upon the table subject to call.

Senator Tirrey, Chairman of the Committee on Corporations submitted the following report:

S. B. № 34. Mr. President — Your Committee to whom was referred Senate Bill No 34, for an act, amendatory of an act for the improvement of streets, alleys and public grounds of cities of the second class have the honor to report that they have had the same under consideration, and have directed me to report a substitute therefor, which is herewith submitted.

Substitute bill read a first time.

The special order for 11 o'clock being the Resolution to reduce the expenses of State and County Governments, and that hour having arrived, it was ordered up for consideration.

After discussion thereon, Senator Watson moved that its further consideration be postponed until 11 o'clock a.m. tomorrow, and that it be made the special order for that hour.

which was agreed to.

And then, on motion, at the hour of 12 o'clock and 25 minutes, the Senate adjourned until 10 o'clock tomorrow morning.

Attest
Lou T. Kretzschmar
Secy

M M Deeffie
President of Senate

Senate Chamber,
Thursday, January 30, 1879.

The hour to which the Senate had adjourned – 10 o'clock a.m. – having arrived, the President called the Senate to order.

And the roll being called it appeared the following named Senators were present and answered to their names, viz: The President, Mr. Duffie, and

Senators Armistead, Boyd, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Harma, Harris, Hill, Judkins, Kerr, Mitchel, Pennington, Rutherford, Terry, Thurston, Tipton, Watkins, Watson, White, Whittington, Williams, Wilson.

The following named members were absent, viz. Senators Carlton, Hampton, Mucky, Stanford, Reid.

and a Quorum announced.

Prayer by the Chaplain.

The Journal of yesterday was read, and there being no objection thereto, it was approved and signed.

On motion of Senator Crowley, Mr. Geo Hudson, acting Sergeant-at-arms, was sworn in.

Senator Chism was called to the chair.

S. B. No. 21. Senator Wilson, Chairman of the Judiciary Committee, to whom Senate Bill No. 21, "an act to authorize the Secretary of State to furnish Volumes of the Arkansas Reports to the Clerks of certain Counties" reported the same back, with the recommendation that the bill do not pass.

On motion the report was adopted, and on motion of Senator Terry the bill was recommitted to the Committee on Judiciary.

S. B. No. 46. Senator Wilson from the Judiciary Committee reported back Senate Bill No. 46, "an act to amend Section 2, of an act to regulate the labor system, approved March 6. 1875", with the recommendation that the bill do pass. Report adopted.

S. B. No. 28. Senator Wilson also submitted a report from the Judiciary Committee on the bill of the Senate (S. B. no 28) "an act to amend Section 69 of the General act of Incorporation of municipal corporations", and transmitted therewith a substitute bill, with the recommendation that the substitute do pass.

Pending discussion as to the adoption of the report, and the effect thereof,

A message was received from the House by Mr. R. A. Suit, its Assistant secretary, who, being invited within the bar of the senate read as follows =

Hall. House of Representatives,
January 30. 1899 x

Mr President -

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of S. B. No 5. "An act entitled an act to change the time for holding the Courts in the sixth Judicial Circuit," and herewith respectfully transmit the same for your favorable consideration.

John G. Holland, Clk x

S. B. No 5.

The hour of 10 o'clock and 30 minutes having arrived being the hour set apart for the consideration of the bill of the Senate (S. B. 24) entitled,

S. B. No 24.

An act to donate all the lands forfeited to the state for non-payment of taxes, and all swamp and overflowed lands lying in the Counties of Clark, Dallas, Calhoun, ~~Ouachita~~ Ouachita and Hot Springs ~~and Pike~~, for the purpose of aiding in the construction of a railroad in said section;

The President ordered it to be taken up x

And the bill being read for information, Senator Chism moved to amend it by adding to the first section the following proviso, to-wit =

"Provided, further, that the title passed by the State, as in this act provided, shall be so construed as to mean and convey only such right and title to said land, as the state now acquires by law" x

Which amendment was under a suspension of the rules read a first and second time x

Senator Jud Kins called to the chair x

Senator Terry offered the following as a substitute for the amendment =

Provided that nothing herein contained shall be construed to operate to prevent or preclude any right of redemption that might otherwise exist in favor of any person x

Senator Chism accepted the substitute, and then, by consent, his amendment was withdrawn x

The substitute amendment was then read a second time, under a suspension of the Rules x

Senator Kirr moved to amend the amendment by adding = "And at any time prior to the making of a deed by the Governor, to said Railroad company, the Commissioner of State Lands shall have power to set aside any erroneous forfeiture, on proper application, and presentation of facts, to authorize it" x which amendment was accepted by Senator Terry x and then the question on the amendment as amended was adopted x

Senator Kerr moved to strike out of the first section, the words "next ensuing", and insert in lieu thereof the word "thereafter", which amendment being read twice, under a suspension of the rules, was agreed to x

Senator Kerr also moved that the word "whether" after the word "acquire", and the words "or otherwise" after the word "forfeiture" in line 6, of the printed bill, be stricken out x which was not agreed to x

Senator Bond moved that the word "acquire" in line 6 be stricken out, and the words "have acquired" be inserted in lieu thereof x which was adopted x

The hour of eleven o'clock having arrived, being the hour set apart for the consideration of the Resolution to reduce the expenditures of state and county governments, the same was ordered up x

S. B. No. 24. Senator Kerr moved that the special order be postponed until the bill before the Senate (S. B. No 24) be disposed of x motion agreed to x

And the several amendments having been read in connection with their proper context,

It was moved that the bill be ordered engrossed and made the special order for tomorrow at 11 o'clock, a. m. which motion was adopted x

The special order last postponed, being the Resolution to reduce the expenditures of state and County governments was taken up for consideration x

After discussion of the same by several Senators, the Senate, on motion of Senator Gatewood, adjourned at 1 o'clock p. m. till tomorrow at 10 o'clock a. m.

M M Duffie
President of Senate x

Attest
Lou T. Kretzschmar
Secy. of Senate

Senate Chamber,
Friday, January 31, 1879.

The hour of ten o'clock, a.m. having arrived, being the hour to which the Senate had adjourned, the President called the Senate to order.

The roll being called it appeared that the following members were present and answered to their names, viz:

The President, Mr. Duffie, and Senators Boyd, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Kerr, Pennington, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, Watson, Whittington and Wilson.

The following named members were absent, viz:

Senators Armistead, Carlton, Hampton, Hill, Judkins, Mitchell, Mucklin, Stanford, White, Williams.

Prayer by the Chaplain.

The Journal of yesterday was read after a correction in the title of Senate Bill No. 24, was approved and signed.

S.B. No 24 — Senator Watson, chairman of the committee on Engrossed bills reported the bill of the Senate (S.B 24) an act donating forfeited lands in the Counties of Clark, Dallas, Calhoun, Ouachita and Hot Springs to aid in the construction of a railroad in said section, correctly engrossed. Report received.

Senator Thornton offered the following resolution, which was read:

Resolved, that the Treasurer of state be, and he is hereby requested to furnish the Senate, immediately, with a statement showing the amount of United States currency in the State Treasury, on the 30th day of January, 1879, and the different funds to which the same belongs.

On motion the resolution was adopted.

Senator Reid submitted the following resolution:

Resolved. That the Committee of the Senate on Militia be and they are hereby directed to inquire into the just amount due to citizens of this state on account of the operations of the Militia of the State, organized under an act of the General Assembly, approved, July 14, 1868, with authority to report by bill or otherwise.

On motion Gen. H. W. McMillan of Clark County was invited to a seat within the bar of the Senate.

Pending discussion on the resolution, a message from the House was received, by R. A. Suit, its assistant clerk, who, being invited within the bar of the Senate read as follows:

Jany 31. 1879.

Hall, House of Representatives
January, 31, 1879.

Mr President -

I am instructed by the House of Representatives, to inform your Honorable body, of the concurrence by the House, in Senate Concurrent resolution, appointing a committee to visit the Arkansas Industrial University, and of the appointment on such committee, on the part of the House, of Messrs Stubbs, Burke, and Wooten of Columbia.

I am also instructed to inform your honorable body of the passage by the House of

H. R. No 18 H. B. 18. "an act to change the time of holding the Circuit Courts in the Third Judicial Circuit of the State of Arkansas, and for other purposes;

H. R. No. 18 also H. B. No. 88, "a bill to be entitled an act to change the time of holding the courts in the Twelfth Judicial Circuit in this State": and herewith respectfully transmit the same for your favorable consideration.

John G. Holland, Clerk

Senators Mitchel, White, Armistead and Judkins appeared in their seats and answered to their names.

Consideration of the resolution of Senator Reid was resumed, when, on motion of Senator Kerr, it was referred to the committee on Militia.

Senator Watkins, chairman of the committee on Public Charities, to whom was referred, the Message of the Governor recommending the appointment of Geo. E. Dodge, William Thompson, Charles P. Redmond, and R. H. Parham, for confirmation as Directors of the Deaf Mute Institute, submitted a report, recommending "the Senate advise, and Consent to the nominations recommended by his excellency, the Governor. Report received and read.

Senator Watkins moved that the Senate go into executive session to consider the recommendations which was agreed to.

The Senate being in Executive Session it was moved that the nominations be considered together which motion was adopted.

And the question being: Will the Senate advise and consent to these nominations? It was decided in the affirmative:

Ayes	24
Noes	0
Not Voting	7

Those who voted in the affirmative are:

Senators Armistead, Boyd, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Jackins, Kerr, Mitchell, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Wilson and the President.

None voted in the negative.

The following named were absent and not voting:

Senators Carlton, Hampton, Hill, Mulky, Pennington, Stanford and Williams.

And so the nominations were confirmed.

and then, on motion, the Senate came out of Executive session.

Senator Wilson asked leave of absence for Senator Hill until Monday next, which was granted.

Senator Boyd moved that Senator Terry be added to the Finance Committee, which was agreed to.

The hour of 11 o'clock a.m. having arrived, the special order for that hour, being Senate bill No. 47, a substitute for Senate bill No 36, was called up for consideration.

S.B. No. 47

On motion it was recommitted to the Judiciary Committee.

Senator Jackins was called to the chair.

The bill of the Senate (S.B. No. 24), being "an act to donate all the lands forfeited to the state for non-payment of taxes, and all swamp and overflowed lands in the counties of Clark, Dallas, Calhoun, Ouachita and Hot Springs, for the purpose of aiding in the construction of a railroad in said section", being another special order at the hour above named, it was taken up for consideration, and on motion read a third time.

S.B. No. 24.

Senator Terry moved that the vote by which the bill was read a third time be reconsidered, which was agreed to.

Senator Reid moved that the bill be referred to the Committee on State Lands, which motion was lost.

Senator White moved that it be referred to the Judiciary Committee, which was agreed to.

Senator Duncan moved that the Rules be suspended in order that Senate Bill No. 48, a substitute for Senate Bill No. 34, be taken up, and read a second time, which motion was agreed to.

S.B. No. 48.

And the substitute, "an act to amend an act entitled an act to provide for improving the streets and alleys and public grounds of cities in this state, approved March 9, 1899", being read a second time,

Senator Duncan moved that the substitute bill as read be adopted in lieu of the original bill, which was agreed to.

Senator Duncan moved that the bill be ordered engrossed, and made the special order on Tuesday next at 11 o'clock a.m. Agreed to x

Senator Watson, by consent, submitted the following as an addition to the Rules of the Senate, to be known as Rule 50, which was read =

Rule 50 - When any Senator shall obtain leave of absence from the Senate, except for sickness in person, or in his family, or for some unexpected calamity, by which irreparable injury will result to his property, the pay of said Senator shall stop, and the Secretary shall not issue to such Senator a certificate of pay x

Senator Terry moved that consideration of the Rule be indefinitely postponed x which was agreed to x

The President resumed the chair, and handed to the Secretary several communications of a special nature which were read x

Senator Watkins moved that no note of their character or contents be made in the Journal x which was adopted x

Senator Harris, chairman of the Committee on Public Expenditures, presented a report on Senate
S.B. no. 44. Bill No 44, "an act to Repeal section 382 of Gantt's Digest", with the recommendation that the bill do pass x Report Received x

Senator Ferguson chairman of the Committee on Agriculture to whom was referred the report of the Fish Commissioner of the state reported it back without recommendation, and asked to be relieved from further consideration of the same x Report received, and the request of the Committee granted x

Senator Kirr moved that the Rules be
H.R. no. 88. suspended and that "House Bill No. 88," an act to change the time of holding the Courts in the Twelfth judicial circuit in this state" be taken up for consideration x which was agreed to x

The bill was read a first time, and, under a suspension of the rules, a second time x Then, on motion of Senator Kirr the bill was made the special order for Monday next at 11½ o'clock a.m.

Senator Whittington moved that the Rules be suspended in order to take up for consideration,
H.R. no. 30 H.B. No. 30, "an act to fix the time for holding Circuit Court in the County of Ashley" x which was agreed to x

The bill was then read a first time, and the Rules being suspended, a second time x

Friday

Sen Watkins moved that it be made a special order at 11½ o'clock a.m. on Monday next, the 3rd. proximo x

Sen White moved that the rules be suspended and that the bill of the Senate (S.B. 33) a substitute for Senate Bill No. 18, "an act for the Preservation of Fish," be taken up for a third reading and placed upon its final passage x which was agreed to x

And the question being, Shall the Bill pass? It was decided in the affirmative x

Ayes	---	25
Noes	---	0
Not Voting	---	6

Those who voted in the affirmative are: Senators Armistead, Byrd, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Judkins, Kerr, Mitchell, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Williams, Wilson, and the President x

None voted in the negative x

Absent and not voting: Senators Carlton, Hampton, Hill, Mulky, Pennington, Stanford x

And so the bill passed x

S. B. No 46

Senator Watson moved that the Rules be suspended, and the bill of the Senate (S.B. No. 46) entitled "an act to amend section 2 of an act to regulate the Labor System, approved March 6. 1895." was taken up and read a third time x

and the question being: Shall the bill pass? It was decided in the affirmative x

Ayes	---	23
Noes	---	2
Not Voting	---	6

Those who voted in the affirmative are: Senators Armistead, Chism, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Judkins, Kerr, Mitchel, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, White, Whittington, Williams, Wilson and the President x

Voting in the negative were Senators Byrd and Crowley x

Absent and not voting were Senators Carlton, Hampton, Hill, Mulky, Pennington, Stanford x

And so the bill passed x

S.B. No. 49

Senator Watson, by consent, introduced a bill (S.B. No. 49) entitled "an act for the Relief of parties holding Denton County Warrants", which was read a first time, and, the Rules, on motion, being suspended, a second time x

July 31, 1879.

On motion the bill was referred to the Judiciary Committee.

S. B. No. 50 — Senator Wilson, by consent introduced a bill (S. B. No. 50) entitled "an act to Encourage the building of Railroads in the State of Arkansas," which was read a first time.

Senator Watkins moved that 100 copies of the bill be ordered printed, which was agreed to.

S. B. No. 51. — The Rules, on motion, being suspended, Senator Watson introduced a bill (S. B. No. 51) entitled "an act for the Relief of W. B. Pierce", which was read a first time, and the Rules being suspended, on motion, a second time.

The bill was then, on motion, referred to the Committee on Claims.

S. B. No. 52 — Senator Armistead, by consent, introduced a bill (S. B. No. 52) entitled "an act to amend the school Laws of the State, which was read a first time.

S. B. No. 53. — By consent, Senator Whittington introduced a bill (S. B. No. 53), entitled "an act to amend section 1936 of Gantt's Digest", which was read a first time.

S. B. No. 54 — By consent, Senator Hanna introduced a bill (S. B. No. 54) entitled "an act to exempt Notaries public from jury services. Read a first time, and, the Rules, on motion, being suspended, a second time.

On motion the bill was referred to the Judiciary Committee.

S. B. No. 43. — On motion of Senator Boyd, the Rules were suspended, and the bill of the Senate, (S. B. No. 43) "an act to enable the county Courts, of the several Counties of the State, to use certain monies that may be in the treasuries of the several Counties" was taken up and read a second time.

Senator Boyd moved that the bill be referred to the Judiciary Committee, agreed to.

Senator Hanna asked that Senator Duncan have leave of absence from tomorrow, until Monday evening, which request was granted.

H. R. No 4. — On motion of Senator Watson the Rules were suspended, and the bill of the House, (H. R. No. 4) entitled "an act to supply deficiencies in the appropriations for salaries for Supreme, Circuit and Chancery Court judges, for the two years ending March 7, 1879", was taken up and read a first time.

On motion the rules were suspended, and the bill read a second time.

It was then, on motion made a special order for Monday next, the 3rd. prox. at 11½ o'clock A. M. in committee of the whole.

Friday, Jany. 31. 1879.

The President announced the receipt of a communication from Hon. T. J. Churchill, State Treasurer, in response to the Resolution of the Senate requesting a statement ~~of the amount~~ of the amount of United States Currency, in the Treasury, on the 30th of January, 1879, which the Secretary read as follows:

State of Arkansas,
Treasurer's Office,
Little Rock, January, 31, 1879.

Hon. M. M. Duffie,
President of Senate.

Sir: In response to Senate Resolution of this date, I have the honor to transmit, herewith, a statement showing balances in U. S. Currency, in Treasury, to credit of the different funds to which the same belongs.

I have the honor to be,
Very Respectfully &c.
T. J. Churchill,
State Treasurer.

Statement showing the amount of Currency in the State Treasury, on the 30th. day of January, 1879 and to what Funds they belong:

	U.S. Currency		
General Revenue		614	19
Common School	3	104	71
Sinking Fund	6	405	99
Permanent School		396	48
	10	521	37

On motion the communication was received and ordered on file.

And then, at 1 o'clock p.m. on motion of Senator Watkins, the Senate adjourned until tomorrow, at 10 o'clock, A.M.

M. M. Duffie
President of Senate.

Attest
Lou T. Kretschmar
Secy of Senate

Saturday Feby 1. 79

Senate Chamber,
Saturday, February 1, 1879.

The hour to which the Senate had adjourned - 10 o'clock, A.M. - having arrived, the President called the Senate to order.

And the roll being called, it appeared that the following named members were present and answered to their names, viz:

The President, Mr Duffie, and Senators Armistead, Boyd, Chism, Crowley, Ferguson, Gantt, Gatewood, Hanna, Harris, Judkins, Kerr, Mitchel, Pennington, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Williams and Wilson.

The following named members were absent, viz: Senators Carlton, Duncan, Hampton, Hill, Mickey and Stanford.

Prayer by the Chaplain, Rev. Mr. Buchanan.

The Journal of yesterday was read, and there being no objection thereto, it was approved and signed.

Senator Kerr presented a petition signed by a number of citizens of the County of Sebastian, asking that the law regulating the sale of liquors, "be so amended as to include drug stores, and vendors of so called patent bitters".

On motion of Senator Kerr, the petition was referred to the Judiciary Committee.

Senator Kerr presented a preamble and resolution adopted by the Town Council of the town of Fort Smith, urgently requesting that the provision and words, "over ten feet high", occurring in sec. 12. of the General Incorporation act of Cities and Towns, passed and approved March 9th 1875, be repealed, or have the section so amended that the words referred to shall only apply to out-houses, and not to business or dwelling houses.

Sen Kerr moved that it be referred to the committee on Corporations, which was agreed to.

On motion of Senator Harris Senator Hanna was added to the Committee on Public Expenditures.

Senator Armistead moved that there be appointed a select Committee of five, to whom shall be referred all bills, propositions and other documents relating to the sale of intoxicating liquors in this state. Which was adopted.

S.B. No. 10

In the order of business, Senator Wilson submitted a report from the Judiciary Committee, on Senate Bill No. 10. "an act to define the jurisdiction of Justices of the Peace" transmitting therewith a substitute from the

original bill, with a recommendation that the substitute bill do pass × Report Received

The substitute having been read a first time, the Rules, on motion, were suspended, and the bill read a second time ×

The substitute was then, on motion, adopted, in lieu of the original bill ×

S.B. No 9. Senator Wilson from the Judiciary Committee, to whom was referred Senate Bill No 9, "an act for the Relief of Minors" reported back the same with the recommendation that the bill do pass × Report received ×

S.B. № 23. Senator Wilson from the same Committee, to whom was referred the bill of the Senate (S.B. No 23) "an act to provide for a bond for costs in suits to contest elections in the Circuit Courts and County Courts in this State", reported back the same, with the recommendation that it do pass × Report received ×

S.B. No. 21. Senator Wilson from the same Committee also reported back, Senate bill No. 21, "an act to authorize the Secretary of State to furnish volumes of the Arkansas Reports to the Clerks of Certain Counties", and recommended that the same do not pass × Report received ×

S.B. No. 30. Senator Crowley, from the Committee on State Lands, to whom was referred the bill of the Senate, (S.B. No. 30) an act to authorize the Treasurer to issue certificates of Indebtedness in certain cases, and for other purposes" reported the same back with the recommendation that it do pass × Report received ×

The order being "Unfinished Business", the Senate Resolution "to Reduce the expenditures of State and County governments", was taken up for consideration ×

Senator Jenkins moved that the Resolution be postponed indefinitely ×

On that the ayes and Noes were called, and the Call sustained ×

And the question being: Shall the motion be adopted? It was decided in the negative — ×

Ayes	5
Noes	20
Not Voting	6

Those who voted in the affirmative are: Senators Crowley, Jenkins, Reid, Thornton, White ×

Those voting in the negative are: Senators, Armistead, Boyd, Chism, Ferguson, Gantt, Gatewood, Hanna, Harris, Kerr, Mitchel, Pennington, Rutherford, Terry, Tipton, Watkins, Watson, Whittington, Williams, Wilson and the President ×

Absent and not voting were Senators Carlton, Duncan, Hampton, Hill, Muckey and Stanford ×

And so the motion was lost ×

A message from the House was received by Mr John G. Holland, its clerk, who, being invited within the bar of the Senate, read as follows =

Hall House of Representatives,
February 1st. 1879.

Mr President =

I am instructed by the House of Representatives to inform your honorable body of the concurrence by the House in Senate Concurrent Resolution No 1, appointing Joint Committee to report to General Assembly, in Joint Session, Constitutional Amendments, and herewith return the same; Also of the appointment as Committee, under said Resolution, on the part of the House, of Messrs Pickback, Hanly, Coody, Bobb, and Conway × Also of the passage by the House of House Bill No 1, an act to make appropriation to pay for repairs and furnishing the Senate Chamber and Hall of the House of Representatives", and herewith respectfully transmit the same for your favorable consideration ×

John G. Holland, Clerk ×

Consideration of the Resolution being resumed, Senator Armistead moved to amend, by inserting after the words "all official salaries should be reduced", the words = "when the same can be done without detriment to the public service"; in the first subdivision of the Resolution ×

Upon this amendment the ayes and noes were called and the call sustained ×

And the Question being = Shall the Amendment be adopted it was decided in the affirmative ×

Ayes	18
Noes	7
Not Voting	6

Those who voted in the affirmative are = Senators Armistead, Boyd, Chism, Crowley, Ferguson, Gantt, Gatewood, Hanna, Harris, Kerr, Mitchell, Ormington, Reid, Watkins Whittington, Williams, Wilson, and the President ×

Those voting in the negative are = Senators, Judkins Rutherford, Terry, Thornton, Tipton, Watson and White

Absent and not voting were Senators Carlton, Duncan, Hampton, Hill, Muckey, Stanford ×

And so the amendment was adopted x

Senator White moved to strike out the words "and County", in the same subdivision x which was agreed to x

Senator Harris moved to add to the last clause of the first subdivision the words, "as far as practicable" x which was also agreed to x

And then the question being on the adoption of the Resolution as amended, it was decided in the affirmative x

Ayes - - - -	23.
Noes - - - -	0
Not Voting - - - -	8

Those who voted in the affirmative are: Senators Armistead, Boyd, Chism, Crowley, Ferguson, Gantt, Gatewood, Harris, Harris, Judkins, Kerr, Mitchel, Pennington, Reid, Rutherford, Terry, Tipton, Watson, Watkins, Whittington, Williams, Wilson and the President x

None voted in the negative x

Absent and not voting were: Senators Carlton, Duncan, Hampton, Hill, Mulky, Stanford, Thornton and White x

And so the Resolution was adopted x

Under the Rule:

S.B. No. 57. Senator Watson introduced a bill (S.B. 57) entitled "an act to abolish the Pulaski Chancery Court, and to confer its jurisdiction upon the Circuit Court of Pulaski County, and to abolish the office of Judge and Clerk of said Court" x Read a first time x

S.B. No 58. Senator Reid introduced a bill (S.B. No 58) entitled "an act to facilitate the business of County and township officers" x Read a first time x

S.B. No. 59. Senator Harris introduced a bill (S.B. No 59) "An act to donate certain lands to the Iron Mountain and Helena Railroad Company" x Read a first time x

H.R. No. 1 x Senator Terry moved that the Rules be suspended in order that the Bill of the House (H.R. No. 1) "an act to make appropriation to pay for repairs and furnishing the Senate Chamber and Hall of the House of Representatives" x Read a first time, and, on motion, the Rules being suspended, a second time x

And then, on motion, it was made the special order for Monday next at 10½ o'clock, a.m. in Committee of the whole

The President announced the following, to compose the select Committee called for by the Resolution of Senator Armistead, in regard to the liquor traffic = Senators Armistead, Mitchel, Watson Gatewood and Terry x

Feb. 27, 1879.

Senator Whittington, under the Rule introduced
S.B. No. 60. a bill (S.B. No. 60) entitled "an act prohibiting the removal from the premises of crops upon which liens exist". Read a first time.

By consent, Senator Armistead presented a petition from J.C. Elsey, to have $75.00 in State scrip, and $75.00 in County scrip refunded to him on account of Liquor licenses erroneously paid. Petition read, and on motion referred to the Committee on Claims.

Under the Rule,

S.B. No. 61. Senator Hanna introduced a bill (S.B. No. 61) entitled "an act to repeal an act entitled an act to amend section 1409 of Gantt's Digest, and for other purposes, approved February 3, 1875". Read a first time.

S.B. No. 62. Senator Wilson introduced a bill (S.B. No 62) entitled "an act to amend section 4288 of Gantt's Digest". Read a first time.

S.B. No. 63. Senator Crowley introduced a bill (S.B. No. 63) entitled "an act authorizing the sale of Certain School Lands". Read a first time.

S.B. No. 64 Senator Armistead introduced a bill (S.B. No. 64) entitled "an act to amend an act entitled an act to establish fees, approved February 25, 1875". Read a first time.

The order of business being declared to be, Bills on Second Reading -

S.B. No. 37. Senate Bill No 37 was taken up and read a second time, it being "an act for the government of County Courts, in making appropriations for County purposes"

Senator Mitchell moved that it be referred to the Select Committee on County Expenditures. Agreed to.

S.B. No. 38. The bill of the Senate (S.B. No. 38), being "an act calling a special election in White Oak Township, Franklin County, and for other purposes", was taken up, read a second time, and, on motion, referred to the Special Committee on the liquor traffic and liquor licenses.

S.B. No. 31. Senate bill No. 39, being a substitute for Senate Bill No 31, "an act to amend section 319 of Gantt's Digest", was read a second time, and, on motion of Senator Mitchell, was referred to the Judiciary Committee.

S.B. No. 40 The bill of the Senate, (S.B. No. 40), "an act to amend the Road Laws, section 5321. Gantt's Digest", was read a second time, and, on motion, referred to the Committee on Public Roads.

The bill of the Senate, (S.B. No. 42) "an act to repeal sections 4, 6, 10. 14, 24, 27, 29. 32, 34. 40, 42, 56, 58, 59, 61, 62,

Saturday, July 1, 1899

S.B. No 42.

65, 69 and 71 of an act entitled an act fixing the regular terms of holding the County Courts of the State, and for fixing the salary of the County Judges, and the per diem pay of Associate Justices in the several Counties in this state, approved February 5. 1875; and also to repeal an act entitled an act to amend an act fixing the regular terms for holding the County Courts of the State, and for fixing the salaries of the County Judges, and the per diem pay of Associate justices in the several counties in this State, approved the 5th of February, 1875, approved March 2, 1875; and to fix the regular terms of holding the County Courts and the Salary of the County and Probate Judges of the Counties named in this act" - was taken up, and read a second time x

Sen Jenkins moved to amend the bill by adding a section thereto to be known as section 22, and to read as follows, to-wit =

"Sec. 22. This act shall take effect and be in force from and after its passage"

The amendment having been read a first time, the Rules, on motion, were suspended when it was read a second time, and then, on motion, adopted x

Senator Mitchel moved to amend the bill by striking out of section Nine the words "four hundred" and inserting in lieu thereof the words "seven hundred" x Amendment read a first time, and, under a suspension of the Rules, a second time x

Senator Reid moved that the bill be referred to the Judiciary Committee x which was lost x

Several further amendments to the bill were offered, but without action thereon x

And pending which Senator Ferguson asked for leave of absence for Senator Gantt until Thursday next x Which was granted x

And then at 12 o'clock and 40 minutes p.m. the Senate, on motion, adjourned until 10 o'clock a.m. of Monday the 3rd. inst.

M M Duffie
President of Senate x

Attest -
Lou V. Kretschmar
Secy of Senate

Senate Chamber
Monday, February 3, 1879.

The hour of 10 o'clock A.M. having arrived, being the hour to which the Senate had adjourned, the President called the Senate to order.

And the Roll being called, it appeared that the following named members were present and answered to their names, viz: The President, Mr. Duffie, and

Senators Boyd, Chism, Crowley, Gatewood, Hampton, Hanna, Harris, Jenkins, Mitchell, Muckey, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, Wilson.

The following named Senators were absent: viz: Senators Carlton, Duncan, Ferguson, Gantt, Hill, Stanford, Thornton, Watkins.

Prayer by the Chaplain.

The Journal of Saturday was read, and there being no objection thereto, it was approved and signed.

On motion of Senator Wilson leave of absence was granted to Senator Watkins on account of indisposition.

Sen. White rose to a question of privilege and asked that he be excused from service on the Joint Committee, appointed to visit the Industrial University at Fayetteville. Excuse accepted, and

The President named Senator Ferguson to serve in his stead on said committee.

Senator Harris, chairman of the Committee on Public Expenditures submitted a report on the bill of the Senate (S. B. no 3) which was received and read as follows:

S.B. No. 3.

Mr. President: Your Committee on Public Expenditures, to whom was referred Senate Bill no 3, entitled "an act to fix the salaries of all state officers and the per diem of members of the General Assembly", have had the same under consideration, and have instructed me to report it back to your Honorable body, with a recommendation that the bill do pass, after being amended as follows:

In first subdivision of section One, strike out the words "two thousand five hundred", and insert in lieu thereof the words, "three thousand".

In the Fourth subdivision of section One, strike out the words, "one thousand five hundred", and insert in lieu thereof the words "two thousand".

Monday

In the Fifth subdivision of Section One, strike out the word "Immigration"

In the Sixth subdivision of Section One, strike out the words "two thousand five Hundred", and insert instead thereof, the words "three thousand" × Also in third line of same subdivision, strike out the word "their", and insert in its stead the word "his" ×

In the Eighth subdivision, third line, strike out the word their, and insert in lieu thereof the word "his" ×

In the Ninth subdivision of Section One, of said bill, at the beginning of Fourth line, strike out the words "two hundred" ×

Strike out the Tenth subdivision of section One, and insert in lieu thereof the following = "Prosecuting attorneys shall receive, as salary, each, the sum of two Hundred dollars per annum" ×

In the Eleventh subdivision strike out the words, "the same salary now provided by law", and insert the words, "Seventy-five ($75.00) per annum" ×

In Twelfth subdivision, Ninth line, strike out the word "Legislature", and insert instead, the words "General Assembly" × and by striking out the remainder of said Twelfth subdivision from and including the word "and" in Ninth line, and inserting in lieu thereof the words, "this section shall apply to the present "General Assembly" ×

Strike out Sections Two and Three of said bill ×

Respectfully submitted ×

Harris Chairman ×

Senator Harris moved that 150 copies of the Bill and report be ordered printed and that they be made a special order for Thursday ~~the~~ the instant at 10½ o'clock a.m.

Senator White moved to amend by making the bill and report a special order for Monday next the 10th inst, at 10.30 a.m.

Which amendment was agreed to ×

And then the motion of Senator Harris, as amended was put and adopted ×

A message from the House was received, by its clerk, Mr J. G. Holland, who, being invited within the bar of Senate, read as follows =

Hall, House of Representatives,
February 3rd. 1879 ×

Mr. President = I am instructed by the House of

Representatives, to inform your honorable body of the concurrence by the House in S.C.R. No 2, "Making a Joint Committee of the Committees of Education of both Houses, to consider the regulating and establishing a permanent system of free common schools", and herewith respectfully return the same ×

I am also instructed to inform you of the passage by the House of H.B. No 28, a bill to be entitled "an act to change the boundary line between the Counties of Chicot and Desha", and herewith respectfully transmit the same for your favorable consideration.

John G. Holland, Clerk ×

H. R. No. 1.

The hour of ten o'clock and thirty minutes having arrived, the special order for that hour, being the bill of the House (H.R. No 1.) "an act to make appropriation to pay for repairs and furnishing the Senate Chamber, and Hall of the House of Representatives", was ordered up for consideration in Committee of the Whole ×

And the Senate, on motion, went into Committee of the whole, with Senator Crowley in the Chair ×

After being some time therein the Committee rose, and reported to the Senate through its Chairman, that it had had the bill under consideration, and instructed him to recommend that the Bill do pass ×

On motion of Senator Pennington the report of the Committee was adopted ×

Senator Judkins moved that the rules be suspended, and the bill read a third time and placed upon its final passage × which was agreed to ×

And the Question being; Shall the bill pass? It was decided in the affirmative ×

Ayes	21.
Noes	0
Not Voting	10.

Those who voted in the affirmative are = Senators Boyd, Chism, Crowley, Eatwood, Hampton, Hanna, Harris, Judkins, Mitchel, Mulkey, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, Wilson — 21 ×

None voted in the negative ×

Absent and not voting were; Senators Armistead, Carlton, Duncan, Ferguson, Gantt, Hill, Kerr, Stanford, Thornton, Watkins, and the President — 10 ×

And so the bill passed ×

Monday

H.R. No. 4.

The bill of the House (H. R. no 4) "an act to supply deficiencies in the appropriations for salaries for Supreme, Circuit and Chancery Court Judges, for the two years ending March 7th. 1879", being also a special order in Committee of the Whole at 11½ o'clock, a.m. it was ordered up, when, on motion, the Senate went into Committee of the Whole, with Senator Watson in the Chair ×

After some time spent therein the Committee rose, and through its Chairman reported to the Senate that it had had the bill under consideration, and instructed him to recommend that it do pass × Report adopted ×

Senator White moved that the rules be suspended and the bill read a third time, and placed on its final passage × agreed to ×

And the question being; Shall the bill pass? It was decided in the affirmative ×

Ayes — — —	21.
Noes — — —	1.
Not Voting — — —	9

Those who voted in the affirmative are = Senators Boyd, Chism Crowley, Gallwood, Hampton, Hanna, Harris, Judkins, Mitchel, Muckly, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, Wilson, and the President — 21.

Senator Kerr voted in the negative — 1

Absent and not voting were, Senators Armistead, Carlton, Duncan, Ferguson, Gantt, Hill, Stanford, Thornton, Watkins — 9 ×

And so the bill passed ×

S.B. No. 42

The order being "Unfinished Business", the bill of the Senate (S.B. no 42) being "an act to repeal sections 4, 6, 10, 14, 24, 29, 32, 34, 40, 42, 56, 58, 59, 61, 62, 65, 69, and 71 of an act entitled "an act fixing the regular terms of holding the County Courts of the state, and for fixing the salary of the County judges, and the per diem pay of associate justices, in the several counties of this state, approved February 5. 1875," and also to repeal an act, entitled "an act to amend an act fixing the regular terms for holding the County courts of the state, and for fixing the salary of the county judges, and the per diem pay of associate justices, in the several Counties in this state, approved Fifth February 1875, approved March 2. 1875, and to fix the regular terms of holding the County Court, and the salary of the County & Probate judge of the counties named in this act", was taken up for consideration ×

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Senator Gatewood to amend section 13 by striking out the words "seven hundred", and inserting in lieu thereof the words "six hundred" x Amendment read a first time, and, the rules being suspended, a second time x It was then, on motion, adopted x

Senator White moved to amend the bill by adding thereto the following words = "The County and Probate Judge of Jefferson County shall be allowed the sum of Eight hundred dollars per annum" x Which was read a first time, and, under a suspension of the Rules a second time x and then, on motion adopted x

Senator Chism moved to amend ~~Section 13~~ so that it should read that the salary of the County and Probate Judge of Logan County be and remain the same as now provided by law x The amendment was read a first time, and, the rules being suspended, a second time x It was then adopted x

Senator Williams moved to amend section 17. so as to read that the County and Probate Judge of St. Francis County shall receive for his salary the sum of five hundred dollars per annum x Read a first time, and, the rules being suspended, a second time x The amendment was then, on motion, adopted x

Senator Rutherford offered an amendment that section 10. be so amended as to read that the County Judge of Independence County shall receive for his salary the sum of five hundred dollars per annum x Amendment read a first time, and, under a suspension of the Rules, a second time x The amendment was then, on motion, adopted x

Senator Mitchel moved that the bill and amendments be referred to the Judiciary Committee x Which was agreed to x

Senator Reid called to the Chair x

Under the rule,

S.B. No. 65. Senator Boyd introduced a bill (S.B. 65) entitled "an act to amend section 1. of an act entitled an act for the Government of County Jails and Poorhouses, approved November 5, 1875" x Read a first time x

On motion the rules were suspended and the bill read a second time x

Senator Wilson moved to amend the bill by incorporating in it the following proviso, to-wit = "Provided the expense of the guards shall not exceed the value of the Convicts' labor" x Read a first time, and the rules being suspended a second time x

Senator Terry moved that the bill and amendment be referred to the Committee on Public Roads x Which was agreed to x

On motion of Senator White, Judge Jesse Turner of Crawford County was invited to a seat on the floor ×

S.B. No. 66

The President, from a seat on the floor, introduced a bill (S.B. no 66) entitled "an act to make persons charged with crimes, misdemeanors and other offences, competent witnesses" × Read a first time ×

Senator Duffie moved that the Rules be suspended, and the bill read a second time ×

On motion of Senator Duffie the bill was referred to the Judiciary Committee ×

H.B. No. 28.

Senator White moved that the Rules be suspended and that House Bill No. 28, "an act to change the boundary line between the Counties of Chicot" and Desha" be taken up for Consideration × Agreed to ×

And the bill being read a first time, the Rules, on motion, were suspended, when it was read a second time ×

and then, on motion of Senator White, it was made a special order for tomorrow at 11 o'clock A.M.

H.R. No. 88.

The hour of 11 o'clock and 30 minutes having arrived, being the hour set apart for the consideration, as a special order, of the bill of the House (H.R. no 88), "an act to change the time of holding the Courts in the Twelfth Judicial Circuit of this state", it was ordered up ×

Sen Kerr moved that it be read a third time, and placed upon its final passage × which was agreed to ×

And the question being = Shall the bill pass? It was decided in the affirmative ×

Ayes — — —	21.
Nays — — —	0
Not Voting — — —	10

Those who voted in the affirmative are = Senators Armistead, Boyd, Chism, Crowley, Gatewood, Kauma, Harris, Jenkins, Kerr, Mitchel, Mulkey, Pennington, Reid Rutherford, Terry Watson White, Whittington, Williams, Wilson, and the President — 21.

None voted in the negative ×

Absent and not voting were = Senators, Carlton, Duncan, Ferguson, Gantt, Kampton, Hill, Stanford, Thornton Tipton, Watkins — 10 ×

And so the bill passed ×

Senator Whittington moved that Judge Thos Fletcher of Pulaski county, and Hon. J. T. W. Tillar of Drew county be invited to seats on the floor × Invitation extended ×

July 3. 1879.

H.R. No. 30.

The bill of the House (H.R. No. 30.) "an act to amend an act to fix the time of holding Circuit court in the county of Ashley" being also a special order for the hour of 11.30 A.M. it was ordered up, and, on motion read a third time ×

And the question being: Shall the bill pass? It was decided in the affirmative ×

Ayes — — —	20
Noes — — —	0
Not Voting — — —	11

Those who voted in the affirmative are: Senators Armistead, Boyd, Chism, Gatewood, Hanna, Kirk, Mitchel, Muckly, Pennington, Reid Rutherford, Terry Watson, White, Whittington, Williams, Wilson and the President — 20 ×

None voted in the negative ×

Absent and not voting were: Senators Carlton, Crowley, Duncan, Ferguson, Gantt Hampton, Hill, Stanford, Thornton, Tipton, Watkins — 10 ×

And so the bill passed ×

Under the Rule,

S.B. No. 41 ×

The bill of the Senate (S.B. No 41) "an act to amend section 54 of the act for the incorporation of municipal corporations, approved March 9th, 1875, and to enlarge the jurisdiction of Police Courts" was taken up and read a second time ×

Senator Hanna moved that it be referred to the Committee on Corporations × which was agreed to ×

S.B. No. 45

The bill of the Senate (S.B. No. 45) an act imposing a tax, and prescribing the mode of collecting the same, on the privilege of selling wine, ardent spirits, or malt liquors, within the limits of the state, for the support of the Government, and to pay the interest on the public debt", was taken up for a second reading ×

And pending its reading, Senator Judkins moved a call of the House to determine whether a quorum of Senators were present ×

The call being made it was found that the following named members were present and answered to their names, viz:

Senators Armistead, Boyd, Chism Crowley, Gatewood, Harris, Judkins, Muckly, Pennington, Reid, Rutherford, Watson, Whittington, Williams, Wilson and the President ×

The following named members were absent: Senators Carlton, Duncan, Ferguson, Gantt, Hampton, Hanna,

Monday

Hill, Kerr, Mitchel, Stanford, Terry, Thornton, Tipton, Watkins, White x

And a quorum announced present x

The bill having been read a second time,

Senator Armistead moved that it be referred to the special committee on liquor traffic and licenses x which was agreed to x

S.B. No. 56. The bill of the Senate (S.B. No. 56) being "an act to authorize and empower the City Council of Cities of the first class to require an occupation license" was taken up and read a second time x

Senator Hanna moved that it be referred to the Committee on Corporations x agreed to x

S.B. No 50 The bill of the Senate (S.B. no. 50) "an act to encourage the building of railroads in the State of Arkansas" was read a second time x

Senator Watson moved to amend the first section by inserting after the word "State", in line 6. of the printed bill, the words "into, and by the way of Bentonville, Benton County", which amendment was read a first time, and the rules being suspended, a second time x

Senator Watson moved to amend further the first section by adding thereto the following proviso to-wit=

"Provided, if said road is not completed, to said city of Fayetteville by the 4th day of July, 1880, the grant herein made shall be null and void, and the Commissioner of State Lands shall be authorized to investigate, in person or by agent, to see if said company have complied with the provisions of this act x If upon such investigation he should find that said work has not been completed, then he shall place said lands upon the records of his office, for sale or donation" x The amendment was read a first time, and, the rules being suspended, a second time x

Senator Chism moved to strike out the county of Logan from the provisions of the bill x which was read a first time, and, the rules being suspended, a second time x

Senator Armistead moved that Crawford and Franklin counties be exempt from the provisions of the act - which was read a first time, and the rules being suspended, a second time x

Senator Wilson moved to refer the bill to the Committee on Railroads x which was agreed to x

S.B. No 52 Senate bill no. 52, "an act to amend the School laws of the State, was read a second time x

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Senator Terry moved that it be referred to the Committee on Education × which was agreed to ×

S.B. No. 53. The bill of the Senate (S.B. No. 53) "An act to amend section 1936, Gantt's Digest", was taken up and read a second time ×

On motion of Senator Whittington it was referred to the Committee on Judiciary ×

S.B. No. 57. Senate bill No. 57, being "an act to abolish the Pulaski Chancery Court, and to confer its jurisdiction upon the Circuit Court of Pulaski County, and to abolish the office of Judge and Clerk of said Court" was read a second time, and, on motion referred to the Judiciary committee ×

By consent, the rules were suspended,

S.B. No. 67. and Senator White introduced a bill (S.B. No. 67) entitled "an act to change the equity jurisdiction in the Counties of Phillips and Jefferson", which was read a first time, and, on motion, the rules being suspended, a second time ×

Senator White moved that the bill be referred to the Judiciary Committee × which was agreed to ×

S.B. No. 58 The bill of the Senate (S.B. No 58) "An act to facilitate the business of County and Township officers" was taken up and read a second time ×

Senator Terry moved to amend the bill by striking out the words "Harrell's Form Book", wherever they occur, and insert in lieu thereof the words, "Duffie and Hill's Justice" × Read a first time and the Rules being suspended, a second time ×

On motion of Senator Reid, the bill and amendment was referred to the Judiciary Committee ×

S.B. No. 59. The bill of the Senate (S.B. No. 59) "an act to donate certain lands to the Iron Mountain and Helena Railroad Company" × Read a first time, and, under a suspension of Rules a second time ×

Senator Crowley moved to amend the bill by striking out thereof the Counties of Clay, Green, and Craighead × Read a first time, and the rules being suspended a second time ×

Senator Williams moved to amend by striking out of the provisions of the bill all that part relating to the granting of lands in St. Francis County × Read a first time, and, under a suspension of the Rules, a second time ×

Senator Harris moved that 150 copies of the bill and amendments be ordered printed, and that they be referred to the committee on Railroads × agreed to ×

Monday Feby 3. '79

The bill of the Senate, (S.B. No. 60) being "an act Prohibiting the Removal from the Premises of Crops upon which lins Exist, was taken up and read a second time x

Senator Whittington moved that it be referred to the Judiciary Committee x agreed to x

S.B. No 61. Senate bill No. 61, being "an act to repeal an act entitled an act to amend section 1409 of Gantt's Digest, and for other purposes, approved February 3. 1875, was read a second time, and, on motion referred to the Committee on Judiciary x

S.B. No. 62. Senate Bill No. 62, "an act to amend section 4288 of Gantt's Digest" was taken up, read a second time, and, on motion referred to the Committee on Judiciary x

S.B. No. 63 Senate Bill No. 63, entitled "an act authorizing the sale of Certain school Lands", was read a second time, and, on motion, referred to the Committee on State Lands x

S.B. No. 64 Senate bill No. 64, entitled "an act to amend an act entitled an act to establish fees approved February 25. 1875", was read a second time, and, on motion referred to the Committee on Finance x

And then, on motion of Senator McKay, the Senate, at One o'clock and five minutes p.m. adjourned until tomorrow at 10 o'clock a.m.

Duffie
President of Senate x

Attest:
Lou T. Kretschmar
Secy of Senate

Tuesday Feby 4-79

Senate Chamber,
Tuesday, February 4. 1879.

The hour to which the Senate had adjourned—10 o'clock, a.m.—having arrived, the President called the Senate to order.

And the Roll being called it was found that the following named members were present and answered to their names, viz:

The President, Mr. Duffie, and Senators Armistead, Boyd, Chism, Crowley, Duncan, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Mitchell, Mulky, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, and Wilson.

The following named members were absent: Senators Carlton, Ferguson, Gantt, Hampton, Stanford, Thornton and Watkins.

Prayer by the Chaplain, Rev. Mr. Buchanan.

The Journal of yesterday was read, and there being no objection thereto, it was approved and signed.

Senator Harris moved that Senator Mulky be added to the Committee on Penitentiary. Which was agreed to.

Under the Rule,

Senator Wilson, chairman of the Judiciary Committee presented a report on Senate Bill No 47.

S.B. No 47. "an act to abolish the office of adjutant General, and for other purposes", and recommended that the bill do pass, with the following amendments, to-wit:

after the word "Secretary" in the last line of Section 1, add the words, "and adjutant General"

add to section 2. the following words: "and that all laws and parts of laws in conflict with this act be and the same are hereby repealed".

The amendments were separately read a first time, and the rules being suspended, a second time, and then on motion adopted.

Senator Kerr moved that the bill be ordered engrossed, and made a special order for tomorrow at 11 o'clock, a.m.

Senator Armistead moved to amend by making it the special order for Tuesday next, the 11th inst. at 11 o'clock a.m.

On this, Senator Kerr called for the ayes and noes, which call was sustained.

Tuesday

And the question being shall the amendment be adopted, it was decided in the affirmative ×

Ayes — — —	12
Noes — — —	11
Not Voting — — —	8

Those who voted in the affirmative are Senators Armistead, Boyd, Chism, Crowley, Duncan, Harris, Judkins, Mitchel, Mickey, Reid, Terry, Williams —

Those who voted in the negative are = Senators Gatewood, Hanna, Hill, Kerr, Pennington, Rutherford, Tipton, Watson, Whittington, Wilson, and the President.

Absent and not voting were Senators Carlton Ferguson, Gantt, Hampton, Stanford, Thornton, Watkins, White ×

And so the amendment was adopted ×

And then the question being: shall the motion as amended be adopted? It was agreed to ×

S.B.№ 2. Senator Wilson from the judiciary committee reported back Senate Bill No. 2. "an act to define the degrees of larceny" transmitting therewith a substitute therefor, and recommending the passage of the substitute bill. Report received and read ×

S.B.№ 68. The Substitute, being Senate Bill No 68, was read a first time, and, the rules, on motion, being suspended, it was read a second time ×

It was then on motion adopted in lieu of the original bill ×

A message from the House was received, by Mr John G. Holland, its Clerk, who being invited within the bar of the senate read as follows=

Hall House of Representatives,
February 4. 1879.

Mr. President=

I am instructed by the House of Representatives to inform your honorable body of

H.J.M. No 1. the passage of H. J. M. No 1, to the U. S. Congress, requesting a grant of twenty acres, at Hot Springs, for the location of an Insane Asylum; and herewith respectfully transmit the same for your favorable consideration

John G. Holland, Clerk ×

S.B. No. 54. Senator Wilson, from the Judiciary Committee reported back Senate Bill No 54, "an act to exempt Notaries Public from jury services", and

Feby 4. 1879.

with the recommendation that the bill do not pass × Report received ×

Senator Tipton, from the Committee on Enrolled Bills reported correctly enrolled Senate bill

S.B. No 34. No. 34, "an act to amend an act to provide for improving the streets and alleys and Public Grounds of cities of the second class, in this state, approved March 9. 1877" × Report received

Senator Wilson presented a further report from the Judiciary Committee, reporting back

S.B. No. 17. Senate Bill No 17, "an act to regulate the sale of vinous, ardent and fermented liquors", and asking that the Committee be relieved from the further consideration of the bill, and that it be referred to the select Committee on Liquor traffic and Licenses × Report, on motion, adopted ×

Senator Armistead from the Committee on Memorials presented a report on the Memorial of the Arkansas Immigration Society, requesting the employment of a Superintendent of Immigration and an appropriation of Fifteen thousand dollars per annum, and begged leave to return the same without recommendation × Report received ×

Senator Armistead, from the same Committee, returned the Memorial of Jacob G. Collins, asking to have his name changed, and declaring that the petition cannot be granted under existing laws ×

Senator Terry, from the Committee on Memorials, to whom was referred the Memorial of citizens of Pine Bluff, asking for an appropriation from the General Government, to protect the river front of that city, reported that the committee had prepared a Memorial to Congress for that purpose, and, under instructions, submitted the same ×

The report was received, and the Mem-

S.J.M. No. 1. orial (S. J. M. No 1.) the caption of which is as follows, was read a first time ×

"A memorial to the Congress of the United states, for an appropriation of $20.000, to protect the river front of the city of Pine Bluff" ×

By consent, Senator Terry submitted the following resolution, which was read ×

Whereas, the condition of affairs in the old world, at the present time is most favorable for immigration to the west, and,

Whereas, Arkansas is second to no state in the Union in the advantages she can offer immigrants, therefore, be it,

Resolved, that it is the sense of this Senate, that there should be established a Bureau of Immigration, and that a suitable appropriation, not exceeding — dollars, per annum, should be made to sustain and carry on the same ×

On motion of Senator Terry the Resolution was made the special order for Thursday next at 10.30 o'clock a.m. ×

Under the Rule — Senator Chism, Chairman of the Committee on Public Roads, reported back Senate bill No. 40, "an act to amend the Road Law, section 3231, Gantt's Digest" with the recommendation that the bill do not pass × Report received ×

The order being "Unfinished Business" the President directed that Bills on Third Reading be taken up ×

Senator Judkins moved that the Rules be suspended, and that the bill of the House (H.B. No. 18), "an act to change the time of holding the Circuit Courts in the Third Judicial Circuit, and for other purposes" × which was agreed to ×

H.B. No. 18

And the bill being read a first time, it was, the rules, on motion, being suspended, read a second time ×

Senator Judkins moved to amend by adding the following to the bill: "Provided, however that no change shall be made in holding the spring term of the Circuit Court of said Third Judicial Circuit, for the year, 1879.

The amendment was read a first time, and, under a suspension of the Rules, a second time ×

Senator Pennington moved that the Rules be suspended, and that House Joint Memorial No. 1, a memorial to the Congress of the United States, requesting a grant of twenty acres of its land reservation at Hot Springs, for the location of a State Insane Asylum, be taken up for consideration × which was agreed to ×

And the memorial being read a first time, the rules, on motion, were suspended, when it was read a second time ×

It was, then, on motion of Senator Pennington, made a special order for tomorrow at 11 o'clock a.m.

The bill of the Senate, (S.B. No. 9) "an act for the relief of minors", was taken up, read a third time and placed upon its final passage ×

S.B. No. 9.

And the question being: Shall the bill pass? It was decided in the affirmative ×

Ayes	20
Noes	4
Not Voting	7

Those who voted in the affirmative are: Senators Armistead, Chism, Crowley, Gatewood, Hamm, Hill, Judkins, Kerr, Mitchell, Mulkey, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, Wilson—20

Those who voted in the Negative, are: Senators, Boyd, Duncan, Harris and the President—4×

Absent or not voting were: Senators Carlton, Ferguson, Gantt, Hampton, ~~Harris~~, Thornton, Stanford, Watkins—7×

And so the Bill passed×

S.B. No. 21. The bill of the Senate (S.B. No 21) "an act to authorize the Secretary of State to furnish volumes of the Arkansas reports to the clerks of Certain Counties" was taken up and read×

S.B. No. 48 The hour of 11 o'clock a.m. having arrived, the special order for that hour, being Senate Bill No. 48, a substitute for Senate bill no 34, "an act to amend an act, entitled an act to provide for improving the streets and Alleys and Public Grounds of cities of the second class, in this state, approved March 9. 1877", was ordered up and read a third time×

Senator Chism moved that the bill be recommitted to the Judiciary Committee× Motion lost×

Senator White moved that the vote making it a special order for today, at the hour above named, and for a third reading, be reconsidered× which was agreed to×

And then, the bill being remanded back to its place on the Calender as having been read only a second time×

Senator Reid moved that it be recommitted to the Judiciary Committee× which was agreed to×

H.B. № 28 The next special order being the bill of the House, (H.B. No. 28) "an act to change the boundary line between the Counties of Chicot and Desha", was taken up and read a third time×

And the question being= Shall the bill pass? It was decided in the affirmative+

Ayes	23
Noes	0
Not Voting	8

Those who voted in the affirmative are= Senators Armistead, Boyd, Chism, Crowley, Duncan, Gatewood, Hamm,

Harris, Hill, Judkins, Kerr, Mitchel Muckey, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White Whittington, Wilson and the President – 23 x

None voted in the negative x

Absent and not voting were, Senators Carlton, Ferguson, Gantt, Hampton, Stanford, Thornton, Watkins and Williams – 8 x

And so the bill passed x

The special order being disposed of

S.B. No 21. the consideration of Senate bill No. 21. was resumed x

A question as to its status before the Senate being raised,

Senator Judkins moved that it be considered as on its second reading x which was agreed to x

Senator Terry moved to amend section 1. of the bill, so that it should read as follows, to wit:

Sec. 1. "That the Secretary of State be, and he is hereby authorized and directed to furnish to the County Clerks of such Counties as have two circuit courts therein, and of such Counties as may be now, or hereafter entitled, under the provisions of Section 19, Article 7. of the Constitution, to a separate County Clerk, one copy of each of the acts, and one Volume of each of the Arkansas Reports, or such numbers thereof as he may now have on hand; and one copy of each of the acts and Reports that may be, hereafter, printed" x

Amendment read a first time, and, the Rules being suspended, a second time x It was then, on motion, adopted x

Senator Terry moved that the bill be ordered engrossed x which was not agreed to x

Senator Reid moved that the bill and amendment be indefinitely postponed x

On this motion Senator Kerr called for the ayes & noes, and the noes sustained x

And the question being on the motion to indefinitely postpone, it was decided in the negative x

Ayes	11
Noes	13
Not Voting	7

Those who voted in the affirmative are: Senators Crowley, Gatewood, Hill Judkins, Muckey, Reid, Rutherford, Tipton, Watson, Whittington, Williams – 11

Those who voted in the negative are; Senators Armistead, Boyd, Chism, Duncan, Hanna, Harris, Kerr, Mitchel, Pennington, Terry, White, Wilson, and the President – 13 x

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Absent and not voting were, Senators Carlton, Ferguson, Gantt, Hampton, Stanford, Thornton, Watkins — 7 x

And so the motion did not prevail x

Senator White moved that the bill and amendment be referred to the Judiciary Committee x which was agreed to x

Senator Walton called to the Chair x

Under the Rule,

S.B. No. 23 x

The bill of the Senate (S. B. No. 23) "an act to provide for a bond for costs in suits to contest elections in the circuit courts and County courts in this state", was taken up, and read a third time x

Senator Boyd moved to recommit the bill to the Judiciary Committee x which was not agreed to x

And the question being: Shall the bill pass? It was decided in the affirmative x

Ayes — — —	15 —
Noes — — —	9
Not Voting — —	7

Those who voted in the affirmative are: Senators Galwood, Hanna, Judkins, Kerr, Mitchel, Muckey, Pennington, Reid, Rutherford, Terry, Tipton, White, Whittington, Williams and Wilson — 15 x

Those who voted in the negative are: Senators Armitead, Boyd, Chism, Crowley, Duncan, Harris, Heile, Watson and Wilson — 9 x

Absent and not voting were Senators, Carlton, Ferguson, Gantt, Hampton, Stanford, Thornton, Watkins and the President — 7 x

And then, on motion, at 12 o'clock and 45 minutes, p.m. the Senate adjourned until tomorrow morning at 10 o'clock x

Attest:
Lou T. Kretschmar
Secy of Senate

M M Duffie
President of Senate x

Senate Chamber,
Wednesday, February 5. 1879.

The hour to which the Senate had adjourned — 10 o'clock a.m. — having arrived, the President called the Senate to order.

And the roll being called the following members answered to their names, viz: The President Mr Duffie, and Senators Armistead, Boyd, Chism, Crowley, Duncan, Gantt Gatewood, Hamma, Harris, Hill, Judkins, Kerr, Mitchel, Muckey, Pennington, Reid Rutherford, Terry, Tipton, Watkins, Walton, White Whittington, Williams.

The following named members were absent, viz: Senators Carlton, Ferguson, Hampton, Judkins Stanford, Thornton.

Prayer by the Chaplain, Rev. Mr. Buchanan.

The Journal of yesterday was read, and there being no objection thereto it was approved and signed.

S.J.R. No. 4. Senator Duncan presented a Joint Resolution (S.J.R. No 4.) to procure action by Congress for the opening of the Indian Territory to white settlement. Read a first time.

On motion of Senator Duncan the Rules were suspended and the Resolution read a second time.

Senator Hamma moved to refer it to the Committee on Memorials. which was agreed to.

Senator Chism submitted the following resolution which was read:

Resolved, that the Secretary of State be required to furnish at least one daily paper, published in this City — copies of all acts Joint and Concurrent Resolutions passed by the General Assembly — as soon as practicable, after the approval by the Governor of such acts Joint and Concurrent Resolutions.

On motion the Resolution was adopted.

S.B. No. 23. Senator Kerr moved that the vote by which Senate bill No. 23. "an act to provide for a bond for costs in suits to contest elections in the circuit Courts and County Courts in this state" was passed, be reconsidered.

The chair announced that the bill had been sent to the House of Representatives, and was not in possession of the Senate. The motion could not, therefore, be considered.

Senator Kerr then moved that the Secretary be instructed to request a return of the bill from the House × which was agreed to ×

Senator Armistead, Chairman of the Committee on Memorials presented a majority report on the petition of John Hill and seventy-eight other citizens of Benton County, asking the General Assembly to submit to a vote of the people of the State, an amendment to the Constitution, forever prohibiting the importation manufacture or sale of intoxicating liquors, except for medicinal or scientific purposes, and recommended that the same, with all exceptions stricken out, be granted ×

A Minority report, signed by Senators Rutherford and Terry was presented and read, stating that in their opinion the proposed legislation is at present impracticable, and in advance of any well defined public sentiment in that direction ×

Senator Kerr moved the adoption of the minority report ×

Senator Terry moved that the minority report be adopted × Pending discussion thereon,

Senator Kerr moved that further consideration of the question be postponed, and that the petition and reports thereon be made a special order for Tuesday next, the 11th inst., at 11 o'clock a.m. ×

Senator Carlton appeared within the bar of the Senate and answered to his name ×

S.B. No 37 × Senator Harris, Chairman of the Committee on Public Expenditures, reported back Senate Bill No 37, "an act for the government of County courts in making appropriations for county purposes", with the recommendation that it do pass × Report received ×

Senator Gatewood, Chairman of the Committee on Claims, to whom was referred the petition of J. C. Elsey, to have $75.00 in state scrip refunded, reported back the same with the recommendation that the relief asked for be not granted, and for the following reasons:

1st: Said petition is not signed by anyone nor is the same verified ×

2nd. Said application is for special relief, and not accompanied by any notice that said application would be made ×

3rd. In the opinion of the Committee the County Court of Franklin County misconstrued the law, and should not have made the order to refund ×

4th. It appears from the transcript that the seventy-five dollars in State scrip asked to be refunded, has been adjudicated, and is now a judgment against Franklin County × Report, on motion, adopted ×

S.B. No. 64.

Senator Kerr, from the Committee on Finance, to whom was referred Senate bill No. 64, "An act to amend an act entitled an act to abolish fees" reported back the same without amendment, and with the recommendation that it do pass × Report received ×

Senator Kerr moved that the bill be read a third time, and placed upon its final passage × Which was agreed to ×

And the question being: Shall the bill pass? It was decided in the affirmative ×

Ayes — — —	26
Noes — — —	0
Not Voting — — —	5

Those who voted in the affirmative, are: Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Hartt, Hatewood, Hanna, Harris, Hill, Judkins, Kerr, Mitchel, Muckey, Pinnington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, Wilson, and the President — 26

None voted in the negative ×

Absent or not voting were: Senators Ferguson, Hampton, Stanford, Thornton, Watkins — 5 ×

And so the bill passed ×

On motion of Senator Duncan, General McCauley, and Col Black of White County were invited to seats within the bar ×

Senator Kerr sent a communication to the Secretary's desk, which was read as follows:

Room of Senate Finance Committee, January 30. 1879.

Mr. President: I am directed to inform the Senate that T. D. Holmes, who was elected by said Committee as Clerk thereof, was this day placed on duty as such Clerk

Kerr, Chairman ×

Under the order, "Unfinished Business" the President directed that bills heretofore reported upon by Committees, but not acted upon by the Senate, be taken up ×

But the hour of 11 o'clock A.M. having arrived, being the hour set apart for the consideration

H.J.M. No. 1.

of House Joint Memorial No. 1. "a Memorial to the Congress of the United States requesting a grant of twenty acres of the Land Reservation at Hot Springs, for the location of an Insane Asylum"; the same was ordered up for consideration ×

Pending discussion on the Memorial, a Message from the House was received, by John G. Holland its clerk, who, being invited within the bar of the Senate,

July. 5. 1879.

read as follows =

Hall, House of Representatives,
February 5. 1879 ×

Mr President =

I am instructed by the House of Representatives to inform your honorable body of the passage of H. B. No. 136, "an act to revive the State Board of Finance, and raise means to support the State Government", and herewith respectfully transmit the same for your favorable consideration ×

H.B. No. 136

I am also instructed by the House of Representatives, in compliance with the request of your honorable body to return S. B. No 23, "an act entitled an act to provide for a bond for costs, in suits to contest elections in the circuit courts and County Courts, in this State." and herewith respectfully return the same ×

S.B. No 23.

John G. Holland, Clk

Consideration of H. J. M. no. 1. was resumed, and after further discussion thereon

H.J.M. No 1.

It was ordered read a third time and placed upon its final passage ×

And the question being = Shall the Memorial pass? It was decided in the negative ×

Ayes — — —	10
Noes — — —	15
Not Voting — —	6

Those who voted in the affirmative are = Senators Gatewood, Kirr, Hankey, Pennington Reid, Rutherford, Tipton, White, Whittington, Williams — 10 ×

Those who voted in the negative are = Senators Armistead, Boyd, Carlton, Chism, Crowley, Gantt, Hanna, Harris, Hill, Judkins Mitchel, Terry, Watson, Wilson and the President — 15 ×

Absent or not voting = Senators Duncan Ferguson, Hampton, Stanford, Thornton, Watkins — 6

And so the Memorial was rejected ×

By unanimous consent Senator White submitted the following resolution:

<u>Resolved</u>, that the Committee upon Public Expenditures be and they are hereby instructed to ascertain by whom the Eighty acres of land purchased for the purposes of an Insane Asylum, was so purchased; where the same is located; whether the same is suitable for the purposes intended; and what the same lands, or lands

contiguous thereto, are reasonably worth x

On motion the Resolution was adopted x

As in order, Senator Kerr, moved that the vote by which Senate Bill No. 23. "an act to provide for a bond for costs in suits to contest elections in the Circuit and County courts in this state," was passed, be reconsidered x

S.B. No 23.

Senator White moved to lay said motion upon the table x A call for the ayes & noes was sustained x

And the question being: Shall the motion to reconsider lie upon the table? It was decided in the negative x

Ayes — — —	9 x
Noes — — —	15 x
Not Voting — —	7 x

Those who voted in the affirmative are= Senators Gatewood, Jenkins, Pennington, Rutherford, Terry, White, Whittington, Williams, Wilson — 9 x

Those who voted in the negative are= Senators Armistead, Boyd, Chism, Crowley, Duncan, Kanna, Harris, Hill, Kerr, Mitchel, Mucky, Reid, Tipton, Watson, and the President — 15 x

When their names were called, Senators Carlton and Gantt asked to be excused from voting x Excused — 2 x

Absent, Senators Ferguson, Hampton, Stanford, Thornton, Watkins — 5 x

And so the motion to table was lost x

The Question recurring on the motion to reconsider, Senator White called for the ayes and noes thereon; which call was sustained x

And the question being: Shall the motion to reconsider the vote by which the bill passed be adopted? It was decided, by a tie vote, in the negative x

Ayes, — — —	12
Noes — — —	12
Not Voting — —	7

Those who voted in the affirmative are= Senators Armistead, Boyd, Chism, Crowley, Duncan, Kanna, Harris, Hill, Kerr, Tipton, Watson and the President — 12 x

Those who voted in the negative are= Senators Gatewood, Jenkins, Mitchel, Mucky, Pennington, Reid, Rutherford, Terry, White, Whittington, Williams, Wilson — 12 x

Absent, or not Voting= Senators Carlton, Ferguson, Gantt, Hampton, Stanford, Thornton, Watkins — 7.

And so the motion was lost ×

S.B. No. 29. As "unfinished business" the bill of the Senate, (S. B. 29) "an act to define and extend the jurisdiction of Justices of the Peace, in certain cases", was taken up and read for information ×

On motion the rules were suspended, and the bill read a third time and placed upon its final passage ×

And the question being: Shall the bill pass? It was decided in the affirmative ×

Ayes ---	26
Noes ---	0
Not Voting --	5

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Mitchel, Mueller, Pennington, Rice, Rutherford, Terry, Tipton, Watson, Webb, Whittington, Williams, Williams, and the President ×

None voted in the negative ×

Absent and not voting were: Senators Ferguson, Hampton, Stanford, Thornton, Watkins - 5

And so the bill passed ×

S.B. No. 30. The bill of the Senate, (S. B. No. 30) "an act to authorize the Treasurer to issue certificates of indebtedness in certain cases, and for other purposes" was ordered up and read ~~for~~ information ×

Senator Kerr moved to amend by striking out the words "levee bonds", wherever they occur in the bill × which amendment was read a first time, and, the rules, on motion, being suspended, a second time ×

Senator Carlton sent to the Secretary's desk the following which was read a first time: "I move to amend the amendment by adding after the words 'levee bonds', the words 'and swamp land scrip'" ×

And the amendment to the amendment being read a second time, under a suspension of the Rules, a motion to adopt the same was lost ×

And then, the question recurring on the adoption of the amendment, Senator Watson called for the ayes and noes thereon, which call was sustained ×

And the question being: Shall the amendment be adopted? It was decided in the affirmative ×

Ayes ---	20
Noes ---	4
Not Voting --	7

Wednesday, Feb. 5. '79

Those who voted in the affirmative are= Senators Armistead, Boyd, Chism, Duncan, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Pennington, Reid, Rutherford Terry, Tipton, Watson, Whittington, Wilson, and the President — 20 x

Voting in the negative were = Senators Carlton, Crowley, Mitchel and Williams — 4 x

Absent and not voting were = Senators Ferguson, Hampton, Mauldy, Stanford, Thornton, Watkins and White — 7 x

And so the amendment was adopted x

By unanimous consent Senator White introduced a bill (S. B. No. 69) "an act to provide for holding a special term of the county Court of Phillips County" x Which was read a first time x

S.B. No. 69.

Senator White moved that the Rules be suspended, and the bill read a second time x agreed to x

And then, on motion of Senator White, the bill was made the special order for tomorrow morning, at 10 oclock and 30 minutes x

By Consent, Senator Watson introduced a bill (S. B. No. 70) "an act to require Circuit Judges to interchange Circuits in certain cases" x Which was read a first time, and, the rules, on motion, being suspended a second time x

S.B. No. 70

Senator Watson moved that the bill be referred to the Judiciary Committee x Which was agreed to x

Senator Crowley, by Consent, introduced a bill (S. B. No. 71) "an act for the relief of Alvin Embanks and Benjamin M. Eramling" x which was read a first time, and the rules, on motion, being suspended, a second time x

S.B. No. 71.

Senator Crowley moved that the bill be referred to the Committee on Claims x which was agreed to x

Senator Watson moved that Senator Kerr be added to the Special Committee on Liquor Traffic and Licenses x agreed to x

Senator Gatewood asked leave of absence for Senator Judkins until Tuesday morning next, the 11th. inst. Leave granted x

And then, at the hour of 1 oclock and 10 minutes p.m. the Senate adjourned x

M M Duffie
President of Senate x

Attest
Lee S. Kretschmar
Secy of Senate

Monday Feby 6 '79

Senate Chamber,
Thursday, February 6. 1879.

The hour to which the Senate had adjourned — 10 o'clock a.m. — having arrived the President called the Senate to order.

And the roll being called it was found that the following named members were present and answered to their names viz:

The President, Mr Duffie, and Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchell, Muckey, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, Wilson.

The following named Senators were absent, viz:

Senators Ferguson, Hampton, Jenkins, Stanford, Thornton, Watkins.

Prayer by the Chaplain, Rev. Mr. Buchanan.

The Journal of yesterday was read, and after a correction was approved and signed.

Senator Duncan under the Rule presented the following resolution, which was read:

Resolved, that the Committee on Public Expenditures be instructed to investigate and ascertain, whether any of the clerical force in any of the State offices — viz, those of the Secretary of State, Auditor, Treasurer, and State Land Commissioner — can, or should be dispensed with, and report the same by bill or otherwise.

On motion the Resolution was adopted.

Senator Chism submitted the following resolution, which was read:

Whereas, For $10.000.00, 480 acres of land, including the celebrated "Dardanelle Springs" of Yell County, is now offered to the State, and

Whereas, It is said that on said tract of land there are now buildings, suitable to care for from forty to fifty Insane subjects, and with but little, if any, additional expense, the same can be made to accommodate said number of Insane, therefore,

Resolved, That the Senate appoint

a Special Committee of three, which Committee shall proceed, at an as early day as practicable, to examine into the feasibility of the purchase of said tract of land, and the erection of an Insane Asylum thereon, and that said Committee report at the earliest possible time the result of their investigations.

The hour of 10½ o'clock having arrived, the special order, the Resolution to provide for an Immigration Bureau was, on motion of Senator Kerr, temporarily postponed.

Senator White moved to amend the Resolution by adding thereto, after the word "thereon", the following clause: "And the Committee also report as to the suitability of the location for the purpose named".

The amendment was accepted by Senator Chiem, and made a part of the Resolution.

Senator Reid moved to amend the resolution by incorporating therein, after the Amendment above accepted, a proviso as follows, to-wit:

Provided, that said Committee may report as to the practicability of locating the same at Hot Springs.

On motion the amendment was adopted.

The resolution as amended was then on motion adopted.

Senator Boyd presented a Resolution which was read as follows:

Resolved, That the Committee on Public Expenditures be instructed to inquire at what rent a suitable building or buildings can be secured for the accommodation of the Insane of the state, until they can be permanently provided for.

On motion the resolution was adopted.

The special order for 10½ o'clock, which had been postponed, was again called up for consideration, when Senator Terry moved that it be laid upon the table subject to call. motion adopted.

S.B. No. 69

The next special order being the bill of the Senate, (S.B. No 69) "an act to provide for holding a special term of the County Court of Phillips County", was taken up, and read a third time and placed upon its final passage.

And the question being: Shall the bill pass? It was decided in the affirmative.

Ayes	24
Noes	0
Not Voting	7

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Chiem, Duncan, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchel, Mulkey,

Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, Wilson, and the President — 24.

None voted in the negative.

Absent and not voting, viz: Senators Crowley, Ferguson, Hampton, Judkins, Stanford, Thornton, Watkins — 7.

And so the bill passed.

By unanimous consent, Senator Whittington introduced a bill (S. B. No. 72) "an act to provide for the payment of claims adjudged and allowed against the state of Arkansas by the Commissioner of Claims, under the provisions of an act of the General assembly of the state of Arkansas approved March 28, 1871" which was read a first time.

S.B. No. 72.

On motion of Senator White the Rules were suspended, and the bill read a second time.

Senator Whittington moved that the bill be referred to the Committee on Militia, which was agreed to.

On motion of Senator Armistead, Col. John Carroll of Sebastian County was invited to a seat within the bar of the Senate.

In accordance with the Resolution of Senator Chism, relating to the purchase of a location for an Insane Asylum, the President named the following as the Special Committee: Senators Chism, Whittington, and Tyne Kay.

By Consent, Senator Kerr introduced a bill (S. B. No. 73) "an act to repeal an act, entitled an act to regulate the sale of lands belonging to the State, in Certain cases, approved, Dec. 15. 1875, and to repeal Sections 2 and 3 of an act, entitled an act, fixing the price of state lands, and for other purposes, approved March 15. 1875, and to repeal Sections 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, and 3954 of the Revised Statutes, and to regulate the sale of real Estate Bank Land" Read a first time; and, the rules, on motion, being suspended, a second time.

S.B. No. 73.

Senator Watson moved that the bill be referred to the Committee on Finance, and that 150 Copies thereof be ordered printed. Which was agreed to.

A Message from the House was received, by Mr John G. Holland, its Clerk, who, being invited within the bar of the Senate, read as follows:

Hall, House of Representatives,
February 6. 1879.

Mr. President:

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House

M.R.No 3.

of H. B. No. 3, "an act to amend an act providing a general election law, approved, January 3, 1875";

H.B.No.106.

Also, of H. B. No. 106, "a bill to make an appropriation to pay the funeral expenses of the late Hon. C. K. Holman;" and respectfully herewith transmit the same for your favorable consideration ×

John G. Holland, Clerk ×

Under the Rule,

S.B.No.27.

Senator Wilson, Chairman of the Judiciary Committee reported back the bill of the Senate (S.B.No. 27) "an act to prohibit retail liquor dealers from selling vinous or malt liquors to habitual drunkards", and requesting that the bill be referred to the Special Committee on Liquor Traffic and Licenses" × Report received ×

S.B.No.31.

Senator Wilson from the Committee on the Judiciary submitted a report on Senate Bill, No. 31, "an act to amend section 2991 of Gantt's Digest" with a recommendation that a substitute bill, therewith presented, should be adopted in lieu of the original bill, and that the substitute do pass ×

The substitute bill was read a first time, and, the rules, on motion, being suspended, a second time ×

S.B.No.74.

And then, on motion of Senator Wilson, the substitute (S.B. No. 74) was adopted in lieu of the original bill ×

S.B.No.49.

Senator Wilson also submitted a report of the Judiciary Committee, on Senate Bill No. 49, "an act for the relief of parties holding Benton County Warrants", expressing the opinion that the bill was local, and should not pass without notice of its introduction required by the Constitution; and there being no such notice, recommending that the bill be rejected × Report, on motion adopted ×

Under the Rule,

S.B.No 5

Senator Hill, from the Committee on Enrolled bills reported having examined senate bill No. 5, "an act to change the time of holding Courts in the Eighth Judicial Circuit", and returned the same having found it correctly engrossed × Report Received ×

S.B.No.35

The order being "Unfinished Business", the bill of the Senate (S.B. No 35), "an act to prevent double taxation" was ordered up for consideration ×

Senator Mitchel moved that the bill be made a special order for Tuesday next the 11th. inst. at 10 o'clock and 30 minutes × Which was agreed to ×

S.B.No. 32.

Senate bill no 32, was taken up and read for information; being "an act to authorize

the appointment of assistant Prosecuting attorneys"×

Senator Gatewood offered an amendment, as a substitute for the amendment to section 5, reported by the Judiciary Committee, which was read as follows=

Sec. 5– No assistant Prosecuting attorney, appointed under this act, shall receive any compensation from the State, or any County, but shall in all cases, when he is present and prosecuting, be entitled to have the fee of the Prosecuting attorney, taxed as costs against the defendant, and in case of conviction, in the same manner as could the regular Prosecuting Attorney, if present and prosecuting, and shall have the power to collect said fees in the name of the Prosecuting; Provided, however, that no such fees shall be allowed against or collected of any County×

The substitute amendment having been read a first time, the rules, on motion, were suspended, and it was read a second time×

The bill was then, on motion, ordered engrossed, and to a third reading×

S.B. No 44. Senate Bill No. 44. "an act to repeal section 382 of Gantt's Digest" was taken up and ordered to a third reading

S.B. No. 55. Senate Bill No. 55, a substitute for Senate Bill No. 10, "an act to define and make more certain the jurisdiction of Justices of the Peace in certain cases", was ordered to a third reading×

S.B. No 37. Senate Bill No 37, "an act for the Government of County Courts in making appropriations for County purposes" was ordered engrossed and to a third reading×

S.B. No 40. Senate Bill No. 40. "an act to amend the Road Laws – section 5331 Gantt's Digest" was taken up and read for information×

And then, on motion, it was indefinitely postponed×

S.B. No. 54. Senate Bill No. 54, "an act to exempt Notaries Public from jury services" being taken up, was, on motion indefinitely postponed×

S.B. No. 68. Senate Bill No. 68, "an act defining the degrees of Larceny, and prescribing the punishments thereof" was taken up×

Senator Chism moved that the bill be indefinitely postponed× which was not agreed to×

Senator Chism moved to amend section 1 by striking out the word "twenty", and inserting in lieu thereof the word "two"× Read a first time×

A motion to suspend the rules that the amendment might be read a second time was lost×

Senator White moved to amend section 1, by striking out the word "twenty" and inserting in lieu thereof the word "five" × Read a first time ×

It was then moved that the Rules be suspended, and the amendment read a second time × Which was not agreed to ×

Senator Reid moved that the bill be ordered engrossed and made the special order for Wednesday next the 12th inst. at 10,30 o'clock ×

Senator White moved to lay the motion on the table ×

And on this motion Senator Kerr called for the ayes and noes, and the call was sustained ×

And the question being = Shall the motion to order the bill engrossed and make a special order for Wednesday next at 10½ o'clock be laid upon the table? It was decided in the affirmative ×

Ayes	13.
Noes	12
Not Voting	6

Those who voted in the affirmative are: Senators, Armistead, Carlton, Chism, Gantt, Hanna, Harris, Hill, Kerr, Mitchel, Pennington, White, Wilson, and the President — 13

Those who voted in the negative are = Senators Boyd, Crowley, Duncan, Gatewood, Muckey, Reid, Rutherford, Terry, Tipton, Watson, Whittington, and Williams — 12 ×

Absent or not voting were = Senators Ferguson, Hampton, Judkins, Stanford, Thornton — 6

And so the motion to lay upon the table was adopted ×

S.B. No 30. The bill of the Senate, (S.B. no 30) "An act to authorize the Treasurer to issue certificates of indebtedness in certain cases, and for other purposes", was taken up and ordered to a third reading ×

Under the Rule,

S.B. No 75 Senator Boyd introduced a bill (S.B. no 75) "An act to prevent the sacrifice of property by forced sales" × Which was read a first time ×

S.B. No 76. Senator Terry introduced a bill (S.B. no 76) entitled "An act for the Security of the Funds of the State in the Treasury" × Read a first time ×

On motion, the Rules were suspended, and the bill read a second time ×

Senator Terry moved that the bill be referred to the Committee on Public Expenditures × Which was agreed to ×

Senator White introduced a bill (S.B. No. 77)
S.B. No 77. entitled "An act to remedy defects in Trustees and Commissioners sales" x Read a first time x

On motion the Rules were suspended, and the bill read a second time x

Senator White moved that the bill be referred to the Judiciary Committee x agreed to x

Senator White also introduced a bill (S.B. No. 78) entitled "An act to suppress a violation of certain
S.B. No 78. Contracts in the state of Arkansas, by making such violation criminal, and punishing the same" x Read a first time x

Senator Kerr introduced a bill (S.B. 79),
S.B. No 79. entitled "An act to amend the act of the General Assembly of the state of Arkansas, entitled an act to aid the foreclosure of the stock Mortgages given to secure subscriptions to the Real Estate Bank of Arkansas, approved January 16. 1861" x Read a first time, and, on motion, the rules being suspended, a second time x

Senator Kerr moved that the bill be referred to the Finance Committee, and that 150 copies thereof be ordered printed x Which was agreed to x

Senator Terry introduced a bill (S.B. No. 80.)
S.B. No. 80. entitled "An act to amend sections 12, 16, 17, 18 and 57 of an act entitled an act for the incorporation, organization and government of Municipal Corporations, approved March, 9, 1875-" x Read a first time x

Senator Galewood introduced a bill
S.B. No. 81. (S.B. No. 81) entitled "An act to amend section 119 of Miller's Digest of Revenue Laws of the state of Arkansas" x Read a first time, and the Rules being suspended, on motion, a second time x

Senator Galewood moved that the bill be referred to the Committee on Finance x Which was agreed to x

Senator Mitchel introduced a bill
S.B. No 82. (S.B. No. 82) "An act supplemental to an act, approved March 5. 1875, entitled an act to provide for refunding any moneys or funds of any description whatsoever, erroneously paid into the Treasury of the state" x Read a first time x

On motion, the Rules were suspended, and the bill read a second time x

Senator Whittington moved to refer bill to the Committee on State Lands x Agreed to x

Senator Carlton introduced a bill
S.B. No 83 x (S.B. No. 83) entitled "An act to establish separate Courts of Chancery in the Counties of Phillips and Jefferson in the State of Arkansas" x Read a first time x

On motion the rules were suspended and the bill read a second time x

Thursday, May 6, 1909

On motion the bill was referred to the Judiciary Committee.

And then, at 12 o'clock and 50 minutes p.m. the Senate adjourned until tomorrow at 10 o'clock a.m.

M M Duffie
President of Senate.

Attest
Leo J. Kulschman
Secy of Senate

Friday. Feb. 7. '79

Senate Chamber,
Friday, February, 7, 1879.

The hour of 10 o'clock, a.m., having arrived, being the hour to which the Senate had adjourned, the President took the chair, and called the Senate to order.

And the roll being called it was found that the following named members were present and answered to their names, viz:

The President, Mr. Duffie, and Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Kerr, Mitchel, Nuckey, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Williams, and Wilson.

Absent were Senators Ferguson, Jenkins, Stanford, Thornton, Watkins. And a quorum announced.

Prayer by the Chaplain, Rev. Mr. Buchanan.

The Journal of yesterday was read, and there being no objection thereto it was approved and signed.

Senator Gantt offered the following Resolution which was read and adopted:

Mr. President — In view of the fact that the several standing Committees have had referred to them for consideration a large number of bills, and other measures brought before the Senate; and in order to give them time and opportunity to consider the same; and believing that the business of the Senate will be thereby greatly facilitated and advanced:

I therefore move that when the Senate adjourn this day, it shall stand adjourned until 10 o'clock a.m. of Monday next".

A message from the House by Mr. John G. Holland, its Clerk, was received, and the Messenger being invited within the bar of the Senate, he read as follows:

Hall, House of Representatives,
February 7, 1879.

Mr President:

H.C.R. No. 1.

I am instructed by the House of Representatives to inform your honorable body, of the adoption by the House of "House Concurrent Resolution No. 1., a Concurrent Resolution in regard to a Constitutional amendment";

and herewith respectfully transmit the same for your favorable consideration.

John G. Holland, Clerk.

Friday

Senator Chism, offered the following which was read =

"Mr. President = I move that the Committee on Public Expenditures be required to audit all claims presented for payment of the expenses of the Senate" ×

The motion was adopted ×

Senator Duncan asked for leave of absence for Senator Hanna until Tuesday morning next the 11th. inst × Leave granted ×

S.B. No. 56. Senator Terry, from the Committee on Corporations, presented a report on Senate bill No. 56, a substitute for Senate Bill No. 28, "An act to authorize cities of the first class to require an occupation license" with the recommendation that the same do pass × Report received ×

S.B. No. 53. Senator Wilson, Chairman of the Judiciary Committee, to whom was referred Senate Bill No 53, an act to amend section 1936 of Gantt's Digest, reported the same back with the recommendation that the bill do pass × Report received ×

S.B. No. 62. Senator Wilson submitted a report from the Judiciary Committee on Senate Bill No. 62, "an act to amend section 4288 of Gantt's Digest", with the recommendation that the bill do pass × Report received ×

Under the Rule,

S.B. No. 84. Senator Tipton introduced a bill (S.B. No. 84) entitled "an act to change the boundary line between Stone & Izard" × Read a first time, and, the Rules being suspended, a second time ×

Senator Rutherford presented a remonstrance from John A. Clark and twenty-seven other citizens of Stone County, remonstrating against any portion of Stone County being detached, especially fractional sections 6, 7, 8, 9, 17, 18, Township 16, Range 10, which was read ×

Senator Tipton sent to the Secretary's desk, proof of publication of a notice of the intention to apply therefor and other documents relating to the bill ×

Senator Reid moved that the bill, with its accompanying papers, and the Remonstrance be referred to the Committee on County and County Lines × Which was agreed to ×

S.B. No. 85. Senator Carlton introduced a bill (S.B. No. 85) "an act to amend section 7 of an act entitled an act to establish the laws of forcible entry and detainer &c. approved March 2. 1875." × Read a first time, and, the rules being suspended, a second time ×

Senator Carlton moved that the bill be referred to the Judiciary Committee × agreed to ×

Feb 7. 1879.

Senator Williams introduced a bill

S.B. No. 86. (S.B. No. 86) entitled "an act to amend section 4727, and to repeal section 4728 of Gantt's Digest" Read a first time; and, the rules being suspended, a second time.

On motion of senator Wilson the bill was referred to the Judiciary Committee.

Senator Carlton introduced a bill

S.B. No. 87. (S.B. No. 87) "An act to amend Chapter 115 of Gantt's Digest." Read a first time, and, under a suspension of the Rules, a second time.

On motion of Senator Carlton the bill was referred to the Judiciary Committee.

Senator Terry introduced a bill (S.B. No. 88)

S.B. No. 88. "An act to define and punish certain Crimes" Read a first time, and, the Rules being suspended, a second time.

Senator Terry moved that the bill be referred to the Judiciary Committee. Which was agreed to.

Senator Mitchel introduced a bill

S.B. No. 89. (S.B. No. 89) entitled "an act to allow the redemption of lands forfeited to the state for the non-payment of taxes" Read a first time and, under a suspension of the Rules, a second time.

Senator Mitchel moved to refer the bill to the Committee on State Lands. agreed to.

Senator Duncan introduced a

S.B. No. 90. bill (S.B. No. 90) entitled "an act to give County Courts the authority to hold special terms of County Courts in their respective Counties" Read a first time, and, the Rules being suspended, a second time.

Senator Hanna moved that the bill be referred to the Judiciary Committee. agreed to.

Senator Boyd introduced a bill (S.B. No. 91)

S.B. No. 91. "an act to regulate the fees for issuing County scrip" Read a first time and, the Rules being suspended, a second time.

On motion of Senator Boyd the bill was referred to the Special committee on County Expenditures.

Senator Terry introduced a bill

S.B. No. 92. (S.B. No. 92) entitled "an act to aid in the preservation of birds, birds eggs and deer" Read a first time.

Senator Hill moved to lay the bill upon the table.

As a substitute, therefor, Senator White moved that the rules be suspended and the bill read a second time. Which was adopted, and the bill read a second time.

and, then, on motion of Senator Reid, the bill was referred to the Committee on Agriculture.

Friday

The order being bills on Second reading.

The Memorial of the Senate, (S.J.M. No 1) to the Congress of the united States requesting a grant of twenty acres of the Land Reservation at Hot Springs for the location of an Insane Asylum" was taken up and read a second time.

A message from the Governor, by James M. Pomeroy Esq., was received, who being invited within the bar of the Senate, read as follows:

State of Arkansas.
Executive Office,
Little Rock, Feb. 7. 1879

To the President of the Senate:

Sir President, — I have this day approved and signed S.B.5, an act entitled an act to change the time for holding the Courts in the Sixth Judicial Circuit.

W. R. Miller, Governor.

S.J.M. No 1. The rules, on motion, being suspended S.J.M. No 1. was read a third time, and placed upon its final passage. And the question being: Shall the Memorial pass? It was decided in the affirmative. Ayes 24; Noes 0; not voting 7. Voting in the affirmative were: Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Kerr, Mueller, Pennington, Reid, Rutherford, Terry, Tipton, Watson, White, Whittington, Wilson & the President. None voted in the negative. Not voting: Senators Ferguson, Jenkins, Mitchell, Stanford, Thornton, Tipton, Watkins, Williams.

S.B. No. 75. Senate bill No 75, "an act to prevent the sacrifice of property by forced sales" was taken up and read a second time.

On motion of Senator Gatewood the bill was referred to the Committee on Judiciary.

S.B. No. 78. Senate Bill no 78, "an act to suppress a violation of certain contracts within the state of Arkansas, by making such violation criminal, and punishing the same", was read a second time.

On motion of Senator White the bill was referred to the Judiciary Committee.

S.B. No 80. Senate bill, no 80, "an act to amend sections 12, 16, 17, 18 and 57 of an act entitled an act for the incorporation, organization and government of Municipal Corporations, approved March 9. 1875" was read a second time.

On motion of Senator Boyd the bill was referred to the Committee on Corporations.

The order being, Bills on Third Reading.

S.B. No 30. Senate Bill No. 30, "an act to authorize the Treasurer to issue Certificates of indebtedness in certain cases, and for other purposes" was taken up, and, on motion ordered to be engrossed.

S.B. No 44. Senate Bill No. 44, "an act to repeal section 382 of Gantt's Digest" was taken up for a third reading.

Senator White moved that its further consideration be postponed, and that it be made a special order for Monday next, the 10th. inst. at 10½ o'clock a.m. Which motion was adopted ×

S.B. No 19. Senate bill No. 55, – a substitute for Senate bill No. 10 – "an act to define and make more certain the jurisdiction of Justices of the Peace in certain cases", was taken up, read a third time and placed upon its final passage ×

And the question being = Shall the bill pass? It was decided in the affirmative ×

Ayes	17
Noes	8
Not Voting	6

Those who voted in the affirmative are = Senators Armistead, Byrd, Carlton, Gantt, Gatewood, Hanna, Kerr, Mitchel, Moukey, Pennington, Terry, Watson, White, Whittington, Williams, Wilson, and the President – 17 ×

Voting in the negative were = Senators Chism, Duncan, Hampton, Harris, Hill, Reid, Rutherford, Tipton – 8

Absent or not voting were, Senators Cowley, Ferguson, Jenkins, Stanford, Thornton and Watkins – 6

And so the bill passed ×

H.B. No. 18. The bill of the House, (H.B. No. 18) "an act to change the time of holding the Circuit Courts in the Third Judicial Circuit, and for other Purposes" was ordered up for a third reading ×

Senator Tipton moved as an amendment, thereto, the following proviso, to-wit =

"Provided, however, that no change shall be made in holding the Spring Term of the Sharp County Circuit Court, for the year 1879" ×

Amendment read a first time, and, the rules being suspended, a second time ×

Sen Tipton moved that the bill with its amendments be made a special order for Wednesday next, the 1 the inst at 10,30 a.m. × Which was agreed to ×

Under the Rule,

H. B. No. 106 House bill 106, an act to make an appropriation to pay the funeral expenses of the late Hon. C. K. Holman", was ordered up and read a second time ×

Senator White moved that the bill be referred to the Committee on Public Expenditures × Which was agreed to ×

H.B. No. 3. The bill of the House, (H.B. No. 3) "an act to amend an act providing a General Election Law, approved January 23rd, 1875", was read a first time ×

Friday, July 7, 1899

H.C.R. No. 1.

The Concurrent Resolution of the House (H.C.R. No. 1) in regard to a constitutional amendment requiring the Legislature to meet once in four years, and to reduce the number of Senators and Representatives, was taken up, read, and, on motion, agreed to ×

By consent, Senator Gatewood submitted the following preamble and resolution=

Whereas, a Select Committee of three Senators has been appointed to report upon the suitableness of certain places, for the temporary accommodation and protection of the Insane of our state; and,

Whereas, said Committee, under the Resolution appointing same, is not authorized to visit said places; therefore, be it

Resolved, that said Committee are authorized and directed to visit said places named in the Resolution, and amendments thereto ×

The Resolution, on motion, was adopted ×

H. B. No 136

The bill of the House, (H.B. No. 136) "an act to revive the State Board of Finance, and raise Means to support the State Government, was taken up and read a first time ×

Senator Kerr moved that the Rules be suspended, and the bill read a second time × which was agreed to ×

Senator White submitted the following amendments to the bill=

After the word Finance in line 16 of the third section, add the following proviso, to-wit= "Provided said bonds shall not be sold for a sum less than Eighty cents on the dollar ×"

In line twenty of the same section, strike out the words "one-half", and insert the words "three-fourths", in lieu thereof ×

In line twenty-two of the same section, strike out the word "ten", and insert in lieu thereof the word "six" ×

The amendments were read a first time, and the rules being suspended, a second time ×

And then on motion of Senator Armistead, the bill with amendments was referred to the Finance Committee ×

Senator Tipton asked leave of absence for Senator Rutherford till Wednesday next, the 12th inst. Leave granted ×

And then, at 12 o'clock and 45 minutes p.m. the Senate adjourned until Monday Morning next the 10th inst. at 10 o'clock ×

Attest Lou. W. Kretzschmar
Secy of Senate.

M M Duffie
President of the Senate ×

Monday Feby 10. 79.

Senate Chamber,
Monday, February 10. 1879 ×

Pursuant to adjournment the Senate met at 10 o'clock A.M. and was called to order by the President.

And the Roll being called, it was found that the following named members were present and answered to their names, viz:

The President, Mr. Duffie, and Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Harris, Hill, Kirr, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Williams and Wilson ×

Absent, Senators Chism, Hamilton, Hanna, Judkins, Mitchel, Muckey, and Whittington ×

And a quorum announced ×

Prayer by the Chaplain, Rev. Mr. Buchanan

The Journal of Friday last was read and there being no objection thereto, it was approved and signed ×

Under the Rule,

S.B. No 37.

Senator Watson, Chairman of the Committee on Engrossed Bills, reported Senate Bill No. 37. "An act for the government of county courts in making appropriations for County purposes", correctly engrossed × Report received ×

A Message from the House was received, by John G. Holland, Esq. its Clerk, who being invited within the bar of the Senate, read as follows =

Hall, House of Representatives,
February 10. 1879 ×

Mr. President,

H.B. No. 40

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House of House Bill No. 40, "a bill for an act, entitled an act to donate certain lands to the Washington and Hope Railway Company;

H.B. No 138

also H. B. No. 138, "an act to be entitled an act to regulate the sale of any kind of ardent spirits – alcohol, whisky, Malt or vinous liquors – by druggists and apothecaries, and for other purposes", and herewith respectfully transmit the same for your favorable consideration ×

S.B. No 67

I am also instructed to inform your honorable body of the passage by the House of S.B. 67, "a Bill to be entitled an act to provide for

holding a special term of the County Court of Phillips County, and herewith respectfully return the same

John G. Holland, Clerk ×

Under the Rule,

Senator Watson, from the Committee on Engrossed Bills, reported back, as correctly Engrossed

S.B. No 47. Senate Bill, No. 47 "an act to abolish the office of Adjutant General and for other purposes" × Report Received ×

Senator Watson also reported back, as correctly Engrossed, the bill of the Senate

S.B. No. 32. (S. B. no. 32) "an act to authorize the appointment of Assistant Prosecuting attorneys" × Report received ×

Senator Watkins presented a petition, signed by a large number of Citizens of Boone County, asking for the relief of Isaac E. Pudley, which was read; and,

On motion of Senator Watkins referred to the Committee on claims ×

Under the Rule,

Senator Thornton, reported back

S.B. No 69. as correctly Enrolled the bill of the Senate, (S.B. no 69) "an act to provide for holding a special term of the County Court of Phillips County" × Report Received ×

Senator Kerr, presented a Resolution adopted by the town Council of Fort Smith, and certified to by the signature and seal of Jno. B. Latham, Town Recorder, requesting "the passage of an act authorizing the Governor of the state, or some person or persons in the name of the State, to immediately, and until the state may have an Asylum for the Insane, enter into some arrangements with public or private asylums for the Insane, of a neighboring state or states, to take care of and treat the unfortunate persons who may be afflicted with insanity, in our state, and to have an appropriation made for that purpose" ×

Senator Kerr moved that the Resolution be referred to the Committee on Public Charities × which was agreed to ×

By Consent, Senator Watkins intro-

S.B. No. 93. duced a Bill (S.B. No. 93.) "an act to fix the form of Assessors' and Collectors' books" × which was read a first time ×

The hour of 10 o'clock and 30 minutes having arrived, being the hour set apart for the consideration, as a special order, of Senate Bill, No 44, "an act to repeal Section 382 of Gantt's Digest," it was taken up, read a third time, and placed upon its final passage ×

And the question being: Shall the bill pass? It was decided in the affirmative ×

Ayes --- 25
Noes --- 0
Not Voting -- 6

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Harris, Hill, Kerr, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Williams, Judkins, Wilson and the President — 25 x

None voted in the negative x

Absent and not voting were: Senators Chism, Hampton, Hanna, Mitchell, Mulkey, Whittington — 6 x

And the bill passed x

Senator Judkins appeared in his seat and answered to his name x

On motion of Senator White Senator Mitchell was granted leave of absence for the day x

H.B. No. 18. Another special order for the hour of 10 o'clock and 20 minutes, being the bill of the House (H.B. No 18) "an act to change the time of holding the Circuit Courts in the Third Judicial Circuit, and for other purposes" was called up for consideration, and read a third time and placed upon its final passage x

And the question being: Shall the Bill pass? It was decided in the affirmative x

Ayes --- 25
Noes --- 0
Not Voting --- 6

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Harris, Hill, Judkins, Kerr, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson Watkins, White, Williams, Wilson and the President — 25

None voted in the negative x

Absent and not voting were: Senators Chism, Hanna, Hampton, Mitchell, Mulkey, and Whittington — 6 x

And so the bill passed x

S.B. 93. By Consent the rules were suspended, and Senate bill, 93, was taken up and read a second time x

Senator Watkins moved that the bill be referred to the Special Committee on County Expenditures × Which was agreed to ×

H.B. 18. Senator Armistead moved that the Rules be suspended, and House bill, 138, "an act to regulate the sale of any kind of ardent spirits – alcohol, whiskey, malt or vinous liquors – by druggists and apothecaries, and for other purposes" be taken up × Which was agreed to ×

And the bill was then read a first time, and, the rules, on motion, being suspended, a second time ×

Senator Tipton moved to amend the bill by striking out the third section thereof × which was agreed to ×

And then, on motion, of Senator the bill as amended, was referred to the Special Committee on Liquor Traffic and Licenses ×

S.B. 94. By consent, Senator Reid introduced a bill (S.B. no 94) "an act to establish a court of Common Pleas in Columbia County"

Pending the reading of the bill a Message from the Governor was received, by James M. Pomeroy, Esq., who, being invited within the bar of the Senate, read as follows =

State of Arkansas,
Executive Office,
Little Rock, Feby 10. 1879 ×

To the President of the Senate, –
Mr. President =

I have this day

S.B. 69 approved and signed =

S.B. 69. "an act to provide for holding a special term of the County Court of Phillips County" ×

W. R. Miller
Governor ×

The reading of Senate Bill no. 94, was resumed and concluded a first time ×

S.B. 3. The hour of 11 o'clock am. having arrived, the special order for that hour, Senate Bill No. 3, "an act to fix the salaries of all state officers, and the per diem of Members of the General Assembly" was ordered up ×

Senator Crowley moved that the order be postponed to permit him to submit a resolution ×

And the motion being agreed to, Senator Crowley offered the following ×

Resolved that the Penitentiary Committee be allowed to employ a Clerk for said Committee ×

On motion the Resolution was adopted ×

S.B. 3.

The special order, Senate Bill no 3. was then taken up, and read a third time × and in connection therewith, the report of the Committee on Public Expenditures, recommending its passage with certain amendments, was also read ×

Senator Carlton of the same Committee, sent to the Secretary's desk, a Minority report which was read as follows =

Mr. President =

The undersigned, a member of your Committee on Public Expenditures believing that the present compensation of the officers named in said bill is not more than sufficient to enable them to maintain and administer their office with honesty and efficiency, begs leave to differ from the majority of said Committee, and to submit this his minority report, and recommend that said bill do not pass, either in its original form, or as amended ×

Carlton of Chicot ×

Senator Jenkins moved the adoption of the minority report ×

On which motion Senator Watkins called for the ayes and noes, and the call was sustained ×

And the question being = Shall the Minority report be adopted ? It was decided in the negative ×

Ayes — — —	11
Noes — — —	14
Not Voting — —	6

Those Senators who voted in the affirmative are = Senators Carlton, Crowley, Gantt, Jenkins, Reid Stanford, Terry, Thornton, White, Wilson, Williams — 11

Voting in the negative were = Senators Armistead Boyd, Duncan, Ferguson, Gatewood, Harris, Hill, Kerr, Pennington, Rutherford, Tipton, Watson, Watkins and the President — 14

Monday

Absent and not voting were Senators Chism, Hampton, Hanna, Mitchel Muckey and Whittington — 6 x

And so the motion was lost x

Senator Duncan moved that further consideration of the bill and reports be postponed, and that they be made the special order for Wednesday next the 12th. inst, at 11 o'clock a.m.

On this motion the ayes and noes were called, and the call sustained x

And the question being: shall the further consideration of the bill be postponed until Wednesday next at 11 o'clock a.m.? It was decided in the affirmative x

Ayes — — —	17
Noes — — —	8
Not Voting — —	6

Those who voted in the affirmative are Senators Armistead, Carlton, Crowley, Duncan, Gantt, Gatewood, Hill Judkins, Pennington, Reid, Terry, Thornton, Watkins, White, Williams, Wilson, and the President — 17

Voting in the negative were Senators Boyd Ferguson, Harris, Kerr, Rutherford Stanford, Tipton, Watson — 8

Absent and not voting were Senators Chism, Hampton, Hanna, Mitchel, Muckey, Whittington — 6 x

And so the motion was adopted x

S.B. 94. Senator Reid moved that the Rules be suspended, to permit a second reading of Senate Bill no. 94. and the motion being agreed to the bill was read a second time x

On motion of Senator Reid it was referred to the Committee on Judiciary x

S.B. 95 Senator Terry, Chairman of the Committee on Corporations, to whom was referred the petition of certain citizens of Fort Smith, asking for an amendment to section 13 of the general act of incorporation, in regard to fire protection, reported an amendment to said section in the nature of a bill, (S.B. No. 95) entitled "an act to amend Section 13 of an act entitled an act for the organization and government of Municipal Incorporations, approved March 9. 1875 x"

Report received and the bill read a first time, and, the rules on motion being suspended, a second time ×

S.B. 53. The order being unfinished Business, the Bill of the Senate, (S.B. No. 53) entitled an act to amend section 1936 of Gantt's Digest" was taken up, and ordered engrossed and to a third reading ×

S.B. 56 The bill of the Senate (S.B. No 56), a substitute for Senate bill No. 28 was taken up; ordered engrossed and to a third reading ×

Senate bill No. 62. was taken up, ordered engrossed and to a third reading ×

S.B. 68. Senate Bill, No. 68, a substitute for Senate Bill No. 2, an act defining the Degrees of Larceny, and prescribing the punishment thereof," was ordered up ×

The amendment of Senator Chism to strike out of section 1, the word "twenty" and insert in lieu thereof the word "two", was read a second time, and a motion to adopt the same was lost ×

The amendment submitted by Senator White to strike out of said section 1. the word "twenty" and insert in lieu thereof the word "five" was also read a second time × A motion to adopt the amendment was not carried ×

Senator Thornton moved to strike out the Proviso in the first section of the bill ×

On this Senator White called for the ayes and noes, and the call sustained ×

And the question being = Shall the motion to strike out be adopted? It was decided in the negative ×

Ayes — — —	7
Noes — — —	18
Not Voting — —	6

Those who voted in the affirmative are = Senators Carlton, Hill, Judkins, Kerr, Thornton, White Williams — 7 ×

Voting in the negative were = Senators Armistead, Boyd, Crowley, Duncan, Ferguson, Gantt, Gatewood Harris, Pennington, Reid, Rutherford, Stanford, Terry Tipton, Watkins, Watson, Wilson and the President — 18

Absent and not voting were: Senators Chism, Hampton, Harma, Mitchel, Mucky, Whittington - 6 x

And so the Motion was lost x

Senator Reid moved that the bill be ordered engrossed and made the special order for Wednesday next, the 12th. inst. at 10:30, a.m. x

S.B. 74 The bill of the Senate (S.B. no 74) entitled "an act to amend section 2991 of Gantt's Digest" was taken up, ordered Engrossed and to be placed on the Calendar for a third reading x

Under the Rule,

S.B. 96 Senator Reid introduced a bill (S.B. no. 96) entitled "an act to prevent unjust discrimination and extortion in the rates to be charged by the different railroads in this state, for the transportation of freights on said roads" x Read a first time, and, under a suspension of the Rules a second time x

On motion of Senator Reid the bill was referred to the Judiciary Committee x

S.B. 97. Senator Terry introduced a bill (S.B. no. 97 x) entitled "an act for the relief of James A. Henry, late Treasurer of Pulaski County, and the securities on his bond as said Treasurer" x Which was read a first time x

S.B. 98. Senator Duncan introduced a bill (S.B. no. 98) entitled "an act to Empower the Foremen of Grand Juries with the authority to issue subpoenas for witnesses" x Read a first time, and, the rules being suspended, a second time x

and then, on motion of Senator Gatewood, the bill was referred to the Special Committee on County Expenditures

At 12 o'clock and 5 minutes Senator White moved that the Senate do adjourn x Which was agreed to x

And thereupon the Senate adjourned until to-morrow morning at 10 o'clock

M M Duffie
President of Senate x

Attest
Ferd J. Kreischmar
Secy of Senate

Senate Chamber,
Tuesday, February 11. 1879.

The hour to which the Senate had adjourned—10 o'clock a.m.—having arrived, the President called the Senate to order.

And the roll being called, it was found that the following named members were present and answered to their names, viz:

The President, Mr Duffie, and Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Judkins, Kerr, Pennington, Reid Rutherford, Stanford Terry, Thornton, Tipton, Watkins, Watson, Williams and Wilson.

The following named Senators were absent, viz: Senators Chism, Mitchel, Mulkey, White and Whittington. and a quorum announced.

Prayer by Rev. W. A. Forbes.

The Journal of yesterday was read, and there being no objection thereto it was approved and signed.

By consent, Senator Wilson submitted the following resolution which was read:

Resolved by the Senate that five members of the Judiciary Committee shall constitute a quorum for the transaction of Committee business.

The resolution, on motion, was adopted.

S.B. 90 Senator Wilson, Chairman of the Judiciary Committee, to whom was referred Senate Bill No. 90 "an act to give County Judges authority to hold special terms of County Courts, in their respective counties", reported back the same with the recommendation that it do Pass. Report received.

S.B. 48 Senator Wilson, from the same Committee, reported back Senate Bill No 48 "an act to amend an act entitled an act to provide for improving the streets and alleys and public grounds of cities of the second class, in this state, approved March 9. 1877." and under instructions reported back a substitute

Tuesday

therefor x

The substitute bill was read a first time, and, the Rules being suspended, a second time

Senator Pennington moved that it be made the special order for Wednesday at 10 o'clock and 30 minutes x

Senator Kerr moved that the bill be indefinitely postponed x

Pending discussion thereon,

The hour of 10 o'clock and 30 minutes having arrived, the special order for that hour, being

S.B. 35 Senate Bill No. 35, "an act to prevent double taxation" was ordered up for a third reading x

And pending consideration thereof,

A message from the House was received, by John G. Holland, Esq. its clerk, who, being invited within the bar of the Senate, read as follows:

Hall. House of Representatives,
February 11. 1879 x

Mr President:

I am instructed by the House of Representatives to inform your honorable body of

H.J.R. No. 1. the passage by the House of H. J. R. No. 1. proposing an amendment to the Constitution of the state, (a majority of all the members elected to the House agreeing thereto), and herewith respectfully transmit the same for your favorable consideration x

John G. Holland, Clerk x

S.B. 35. Consideration of Senate bill no 35, was resumed, when it was read a third time and placed upon its final passage x

and the question being:
Shall the bill pass?
It was decided in the negative x

Ayes ---	12
Noes ---	13
Not Voting --	6

Those who voted in the affirmative are: Senators Duncan, Ferguson, Gantt, Gatewood, Hill, Pennington, Stanford, Terry Thornton, White, Wilson and the President — 12

Voting in the negative were = Senators Armistead, Boyd, Carlton, Crowley, Hanna, Judkins, Kerr, Reid, Rutherford, Tipton, Watkins, Watson, Williams — 13 ×

Absent and not voting were = Senators Ehrsin, Hampton, Harris, Mitchel, Muckey, Whittington — 6 ×

And so the bill did not pass ×

S.B. 99. Consideration of Senate bill no. 99, a substitute for Senate Bill No. 48, "an act to provide for the improvement of the streets, alleys, sidewalks and public grounds of Municipal Corporations" was resumed ×

And the motion of Senator Kerr to indefinitely postpone it was put and declared lost ×

S.B. 47. And pending its further consideration, the hour of 11 o'clock having arrived, the special order for that hour, Senate Bill No 47, "an act to abolish the office of Adjutant General" was ordered up ×

Senator Ferguson moved to lay the bill on the table ×

On this motion Senator Kerr, called for the ayes and noes, and the call was sustained ×

And the question being = shall the motion to lay upon the table be adopted? It was decided in the affirmative ×

Ayes — — —	18
Noes — — —	9
Not Voting — —	4

Those who voted in the affirmative are = Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Judkins, Kerr, Pennington, Rutherford, Terry, Thornton, Watkins, White, Williams, Wilson — 18

Voting in the negative were = Senators Boyd, Gatewood, Hill, Kerr, Reid, Stanford, Tipton, Watson, and the President — 9 ×

Absent and not voting were = Senators Ehrsin, Mitchel, Muckey, Whittington — 4

And so the motion to lay upon the table was adopted ×

The next special order being the petition of citizens of Benton County, asking for a constitutional amendment to prohibit the sale or manufacture of liquors, in this

Tuesday

state, it was ordered up for consideration.

And the motion being to adopt the minority report of the committee to whom the petition had been referred, expressing the opinion that the proposed legislation is, at present, impracticable, and in advance of any well defined sentiment in that direction,

Senator White called for the ayes and noes thereon; which call was sustained.

And the Question being:

Shall the Minority report be adopted?

It was decided in the affirmative.

Ayes — — —	17
Noes — — —	8
Not Voting — —	6

Those who voted in the affirmative are: Senators Boyd, Carlton, Crowley, Duncan, Garth, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Williams, Wilson — 17.

Voting in the negative were: Senators Armistead, Hanna, Judkins, Kerr, Thornton, Tipton, Williams and the President — 8

Senator Ferguson was excused from voting. — 1.

Absent and not voting were Senators Chism, Hampton, Mitchell, Mickey, Whittington — 5

And so the minority report was adopted.

S.B. 48. The Senate again resumed Consideration of Senate Bill No. 99, a substitute for Senate Bill 48.

Senator Kerr moved to strike out the word "ten" in the last clause of the first section, and insert in lieu thereof the word "four".

Amendment read a first time, and the rules being suspended, a second time.

It was then moved that the amendment be adopted, which was not agreed to.

Senator Pennington moved that the bill be made the special order for Thursday next, the 13th. inst. at 11 o'clock a.m.

Under the Rule.

S.B. 24. Senator Wilson, from the Judiciary Committee, submitted a report on Senate Bill No. 24, "an act to donate all the lands forfeited to the state for non-payment of taxes, and all swamp and overflowed

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lands, lying in the Counties of Clark, Dallas, Calhoun, Ouachita, and Hot Springs, for the purpose of aiding in the construction of a railroad in said section", with instructions to transmit therewith a substitute for the original bill, and to make no recommendation touching the substitute or the original bill. Report received.

Senator Judkins called to the chair.

S.B. 100.

The substitute (S.B. No. 100) was read a first time, and the rules, on motion, being suspended, a second time.

It was then, on motion, adopted in lieu of the original bill.

The President, being in possession of the floor, sent to the Lieutenant's desk an amendment which was read as follows:

"Strike out Dallas County, wherever it occurs in the bill, and insert "all of such lands lands in Dallas County situate west of range fifteen west"."

The amendment was read a first time, and, under a suspension of the rules, a second time.

And the motion being on the adoption of the amendment, the President called for the ayes and noes thereon; which call was sustained.

And the question being:
Shall the amendment be adopted?
It was decided in the affirmative.

Ayes	17
Noes	10
Not Voting	4

Those who voted in the affirmative are: Senators Armistead, Carlton, Duncan, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Reid, Rutherford, Terry, Tipton, Watkins, Watson, Williams and the President — 17.

Voting in the negative are: Senators Boyd, Crowley, Ferguson, Gantt, Hampton, Pennington, Stanford, Thornton, White, Wilson — 10.

Absent and not voting are: Senators Chism, Mitchel, Mucky, Whittington — 4.

And so the amendment was adopted.

Senator White moved that the bill be ordered engrossed, and made the special order for tomorrow at 12 o'clock M., which was

agreed to x

And then, at 12 o'clock and 10 minutes p.m. the Senate, on motion, adjourned until tomorrow at 10 o'clock a.m.

Attest:
Lew V. Kretschmar
Secy of Senate

M. M. Duffie
President of Senate x

Wednesday, Feb. 12. '79

Senate Chamber,
Wednesday, February 12. 1879.

The hour to which the Senate had adjourned — 10 o'clock a.m. — having arrived, the President called the Senate to order.

And the roll being called it appeared the following named members were present and answered to their names: The President, Mr. Dulle, and Senators Armistead Boyd, Carlton, Chism, Crowley, Duncan Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Judkins, Kerr, Mitchel, Pennington, Reid Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White Whittington, Williams, Wilson

Absent, Senator Mulkey.

And a quorum announced.

Prayer by the Chaplain.

The Journal of yesterday was read, and there being no objection thereto, it was approved and signed.

On motion of Senator White, Major A. W. Magee of Jefferson County was invited to a seat within the bar of the Senate.

Senator Watson asked leave of absence for a brief time, for the Committee on Engrossed Bills. Request granted, and the Committee retired from the Senate Chamber.

Senator Mitchel sent to the Secretary's desk a petition, which was read, from R.B. Christian and forty-nine other citizens of Hempstead County, stating that they are in favor of donating the public lands of that County to actual settlers only, in homesteads of 40 or 80 acres, and are opposed to the bill lately introduced by Mr. J. S. Conway, proposing to donate the public lands to the Washington and Hope Railroad Company, or to any other railroad company, and respectfully asking that neither said bill, nor any other bill for any such purpose, be passed. Petition received, and on motion laid on table.

Senator Mitchel also presented a petition of similar import signed by John Hewitt and 1050 other citizens of Hempstead County, which was read and received, and then, on motion, laid on table.

Wednesday

Senator Harma presented a petition from J. H. Westerfield, M.D. and twenty-eight other citizens of Conway county, asking that an Amendment to the Constitution of the state, entirely prohibiting the manufacture and sale of intoxicating drinks within the state, be submitted to a vote of the people ×

On motion petition was referred to the Joint Committee on Constitutional Amendments ×

Senator Gantt submitted the following resolution which was received and read=

Whereas, The report of the State Treasurer sets forth the fact, that, on a thorough examination of the books of his office, it appears that, by an error committed by some one of his predecessors, the outstanding floating debt of the state has been overestimated in so much that it is now found to be but $477.729.47; therefore,

Resolved, that a Select Committee, to consist of three members, be appointed by the President, to investigate and report as to the occasion and circumstances of such error, in the books of said office ×

The Resolution, on motion, was adopted ×

Senator Duncan offered the following resolution which was read=

Resolved that the per diem heretofore allowed to the Janitor of the senate, be allowed to the present Janitor — to-wit four dollars per diem ×

Senator Armstead moved that the Resolution be referred to the Committee on Public Expenditures × which was not agreed to ×

The resolution was then, on motion, adopted ×

Senator White submitted the following Resolution, which was read=

Resolved, That the Rule heretofore adopted, allowing Postage Stamps to the members of the Senate, be extended to the officers of the Senate ×

Resolution, on motion, adopted ×

Senator Crowley submitted a report which was read as follows:

Resolved, That three members of the Penitentiary Committee shall constitute a quorum to transact business.

On motion the Resolution was adopted.

Under the Rule

S.B. 7. Senator Wilson, Chairman of the Judiciary Committee reported back Senate bill no. 7. "an act to repeal sections 1544 to 1551 inclusive, of Gantt's Digest", and transmitted a substitute therefor with the recommendation that the substitute be adopted, in lieu of the original bill, and that it do pass. Report received.

S.J.R. 3. Senator Wilson, from the same Committee, submitted a report on Senate Joint Resolution No 3, proposing an amendment to the Constitution to abolish the office of County assessor, and stating that he was instructed to report it as the opinion of the majority of the Committee that such amendment should be submitted to the people. Report received.

S.B. 86. Senator Wilson also submitted a report, from the same Committee, on Senate Bill, No 86, "an act to amend Section 4727, and to repeal Section 4728 of Gantts Digest", with the recommendation that the bill do pass. Report received.

S.B. 70. Senator Wilson, from the same Committee, submitted a further report on Senate Bill No. 70, "an act to require Circuit Judges to interchange Circuits in certain Cases", and recommended that the bill do not pass. Report received and read.

S.B. 87. Senator Wilson from the same committee also submitted a report on Senate Bill No. 87, "an act to amend section 115 of Gantts Digest", and recommended that the same do pass. Report received.

H.B. 106. Senator Harris, Chairman of the Committee on Public Expenditures, to whom was referred House bill No. 106, "an act to make an appropriation to pay the funeral expenses of the late Hon. C. K. Holman

reported the same back with the recommendation that it do pass. Report received and read.

On motion of Senator White, the bill was read a third time, and placed upon its final passage.

And the question being:
Shall the bill pass?
It was decided in the affirmative.

Ayes	26
Noes	0
Not Voting	5

Those who voted in the affirmative are: Senators Armistead, Carlton, Chisom, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Jackins, Kerr, Mitchel, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Watkins, White, Williams, Wilson and the President — 26

None voted in the negative.

Absent and not voting were: Senators Boyd, Muckey, Tipton, Watson and Whittington — 5.

And so the bill passed.

Under the Rule,
Senator Watson reported Senate bills Nos. 68, 53, 62, and 74, as correctly engrossed.

S.B. 68, 53, 62, 74.

The hour of 10 o'clock and 30 minutes having arrived, the special order for that hour, being Senate bill No. 68, "an act defining the degrees of larceny and prescribing the punishment thereof" was taken up and read a third time.

S.B. 68.

Senator White moved that the further consideration of the bill be indefinitely postponed.

On which motion the ayes and noes were called for, and the call sustained.

And the question being:
Shall the bill be indefinitely postponed?
It was decided in the negative.

Ayes	14
Noes	16
Not Voting	1

Those who voted in the affirmative are = Senators Armistead, Chism, Ferguson, Hampton, Harris, Hill, Judkins, Kerr, Mitchel, Rutherford, Thornton, Watkins, White and the President — 14 x

Voting in the negative were = Senators Boyd, Carlton, Crowley, Duncan, Gantt, Gatewood, Hanna, Pennington, Reid, Stanford, Terry, Tipton, Watson, Whittington, Williams and Wilson — 16 x

Absent and not voting = Senator Mackey — 1 x

And so the motion to indefinitely postpone was not adopted x

And then the question being = Shall the bill pass?
It was decided in the negative x

Ayes — — — 15
Noes — — — 15
Not Voting — — 1

Those who voted in the affirmative are = Senators Boyd, Carlton, Crowley, Duncan, Gantt, Gatewood, Pennington, Reid, Stanford, Terry, Tipton, Watson, Williams, Wilson — 15 x

Voting in the negative were = Senators Armistead, Chism, Ferguson, Hampton, Harris, Hill, Judkins, Kerr, Mitchel, Rutherford, Thornton, Watkins, White, Whittington and the President — 15

Absent and not voting = Senator Mackey — 1 x

And so the bill did not pass x

Senator Armistead, from the Committee on Elections submitted a report which was read as follows =

In matter of petition of Benj. J. Johnson contesting the seat of W. L. Terry x

Mr President.

Your Committee to whom was referred the petition of Benj. J. Johnson, asking to be allowed to contest the seat of W. L. Terry, beg leave to report that they have had the same under consideration, and after a careful consideration beg leave to report the same back to the Senate, with a recommendation that the prayer of the petitioner be denied.

Wednesday

and the Committee be discharged from a further consideration of the same ×

Your Committee state that under Sec. 76, of an act approved, January 23rd 1875 entitled an act Providing a General Election Law", they find the law governing contests of this kind to be as follows, to-wit:

"If any Candidate of the proper County or District contests any election of any person duly elected to the State Senate or House of Representatives, such person shall give notice thereof, in writing, to the person whose election he contests, or leave a written notice thereof at the house where such person last resided, within twenty days after the return of the election to the Clerk's office, expressing the points on which the same will be contested, and the names of two Justices of the Peace who will attend to the taking of depositions, and when and where they will attend to take the same" ×

Your Committee believe that before the petitioner could contest the seat of the present incumbent, he must bring himself strictly within the provisions of the law, as above quoted, and show upon the face of his petition that he has complied with the law, or show that he was prevented from so doing, by some occurrence over which he had no control, and such as would justify your committee in going behind the requirements of the law, and examining the real facts of the case × On examination of the petition of petitioner, your Committee find that no notice has been given by petitioner to the present incumbent, that he would contest his election; nor does the petitioner in his said petition, give any reason or excuse why said notice has not been given, as required by law ×

Your Committee further find that taking the statements of the petition as true, and giving the petitioner the benefit of all the votes he claims, they fail to show that he was elected ×

Entertaining these views, your Committee are of opinion that the petitioner has failed to make such a showing as will entitle him to contest the seat of the present incumbent, and, therefore ask that the prayer of the petitioner be denied, and the Committee discharged from a further consideration of the same ×

Senator Boyd, from the Committee on Elections submitted a minority report, which was read as follows =

Feb. 12. 1879.

To the Honorable Senate
of the State of Arkansas

In the matter of the petition of Mr. B. J. Johnson, praying to be permitted to contest the seat of the Hon. W. L. Terry, returned as senator elect from the Tenth Senatorial District of Arkansas, at the election held on the second day of September, 1878, which was referred to the Committee on Elections, the undersigned, a member of said Committee, begs leave to dissent from the report of the majority of the Committee, and submits this his minority report, and asks that it be adopted, in lieu of the majority report.

He would recommend that the petition of Mr. B. J. Johnson be recommitted to the Committee on Elections, with instructions to make a searching inquiry into the facts alleged by said Johnson, with a view to determining the validity of his claim to the seat in question, and report to the Senate, at as early a day as practicable, the result of said inquiry, with full power to send for persons and papers, for the following reason to-wit:

That the said Johnson alleges, avers and states that he can present ample and satisfactory proof of his title to the seat now occupied by the said Terry, if permitted to do so.

Senator White moved the adoption of the majority report.

Senator Boyd moved, as a substitute, that the minority report be adopted.

Senator Terry rose to a question of privilege, and, since the question before the Senate was personal to himself, asked permission to retire from the Senate Chamber, while the question was under consideration. Request granted.

Pending consideration of the reports Senator Boyd moved that Mr. B. J. Johnson, the contestant, be allowed to address the Senate.

S. B. 3.

But the hour of 11 o'clock a.m., having arrived, the special order for that hour, S.B. No. 3, was ordered to be taken up.

On motion the special order was postponed until final action was had on the reports of the election Committee.

Wednesday

On the motion to permit Mr. Johnson to address the Senate, Senator Chism called for the ayes and noes, which call was sustained × And the roll being called, it was decided in the negative ×

Ayes — — —	11
Noes — — —	17
Not Voting — —	3

Those who voted in the affirmative are = Senators Armistead, Boyd, Hanna, Hill, Reid, Stanford, Thornton Tipton, Walson, Williams, Wilson — 11 ×

Voting in the negative were = Senators Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood Harrington, Harris, Judkins, Kerr, Mitchel, Pennington Rutherford, Watkins, White, Whittington and the President — 17 ×

Absent and not voting were = Senators Marlton, Mulky & Terry — 3 ×

And the question being, the motion of Senator Boyd, to adopt the minority report from the Election Committee, it was put and declared lost ×

The motion to adopt the majority report of said Committee, was then put and carried ×

Senator Judkins moved to reconsider the vote by which the majority report was adopted, and to lay said motion on the table × and the motion to table was adopted ×

S. B. 3. The postponed special order, S.B. No. 3. entitled "an act to fix the salaries of all state officers, and the per diem of Members of the General Assembly" was ordered up ×

Senator Judkins moved that the Senate go into Committee of the whole on its consideration; and that Senator Pennington preside over the Committee × which was agreed to ×

Whereupon the Senate went into a Committee of the whole, with Senator Pennington in the chair ×

After some time spent therein, the Committee rose, and reported to the Senate, through

its Chairman, that it had had Senate Bill No. 3. and amendments thereto, under consideration; that it recommended the adoption of the following amendments to the first section of the bill, to-wit:=

In subdivision 1, strike out the words "two thousand five hundred", and insert, in lieu thereof, the words "three thousand"×

In subdivision 2, strike out the words "one thousand five hundred", and insert, in lieu thereof, the words "two thousand"×

In subdivision 3, strike out the words "two thousand", and insert, in lieu thereof, the words "two thousand four hundred"

In subdivision 4, strike out the words "one thousand five hundred", and insert, in lieu thereof, the words "two thousand four hundred"×

In subdivision 5, strike out the words "and Immigration"; also the words "one thousand five hundred", and insert, in lieu thereof, the words "two thousand"×

In subdivision 6, strike out the words "fifteen hundred", and insert, in lieu thereof, the words "two thousand"×

In subdivision 7, strike out the words "two thousand five hundred", and insert, in lieu thereof, the words "three thousand two hundred and fifty"×

In subdivision 8, strike out the words "two thousand", and insert, in lieu thereof, the words "two thousand five hundred"×

In subdivision 9, strike out the words "one thousand and two hundred" and insert, in lieu thereof the words "one thousand six hundred";

And that the Committee asked leave to sit again, tomorrow, at 11 o'clock, A.M.

On motion the report of the Committee was received, and permission given to sit again at the hour above mentioned×

Under the rule Senator Watson submitted

S.B. 70× the following minority report from the Judiciary Committee on Senate Bill No. 70, which was received and read=

Mr President:

A minority of your Judiciary Committee beg leave to submit a minority report on Senate Bill No. 70, entitled "An act to require Circuit Judges to interchange Circuits in certain cases" × We dissent from the Majority for the following reasons:

1st. — Because we believe this bill, if passed into a law, will save the state from three to five thousand dollars per annum ×

2nd. — Because we believe the parties litigant will have the opportunity to have their cases tried before a judge learned in the law, and thereby prevent the large number of appeals to the Supreme Court of the State, at large expense to the parties interested ×

3rd. — Because we believe said law to be constitutional and practicable; and because we believe that the Constitution has enjoined upon the Legislature the duty to enact this or a similar law, authorizing judges to interchange Circuits, in certain cases ×

4th. — Because we believe that the practice of electing special judges is impracticable, and is greatly abused ×

We, therefore, dissent from the majority and move the adoption of this minority report ×

R. J. Williams, C. H Carlton, A. A. Pennington, E. P. Watson ×

The President announced as the special committee, called for by the resolution of Senator Gantt, to investigate as to the cause of the error in connection with the floating indebtedness of the State the following members: Senators Gantt, Ferguson, Hill ×

S.B. 102 × By Consent, Senator Tipton, introduced a bill (S.B. no. 102) entitled "an act supplemental to an act to change the time for holding the Circuit Courts in the Third Judicial Circuit of the State, and for other purposes" ×

Which was read a first time, and, the rules being suspended, a second time ×

The bill was then, on motion of Senator Tipton, referred to the Judiciary Committee ×

S.B. 100 × The hour of 12 o'clock m. having past, being the hour set apart for the consideration of Senate bill No. 100, "an act to donate all the lands forfeited to the State for non-payment of taxes, and all swamp and overflowed lands, lying in the Counties of Clark, Cachomo, Ouachita Hot Springs, and all such lands in Dallas County, situate west of Range

15 West",

Senator Pennington moved that it be made the special order for tomorrow at 10.30 o'clock a.m. Which was agreed to x

Under the Rule
Senator Ferguson, from the Finance Committee submitted the following report, which was received and read =

Mr President =

I am directed by your Committee on Finance to report back to the Senate

S.B. 73x Senate bill No. 73, a bill for an act to repeal an act, entitled an act to regulate the sale of lands belonging to the state, in certain cases, approved Dec. 15, 1875; and to repeal sections 2 and 3 of an act entitled an act fixing the price of state lands, and for other purposes, approved March 5, 1875; and to repeal sections 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948, 3949, 3950, 3951, 3952, 3953, and 3954 of the Revised Statutes, and to regulate the sale of Real Estate Bank bonds; and Senate bill

S.B. 79x No 79, "an act to amend the act of the General Assembly of the state of Arkansas, entitled an act to aid the foreclosure of the stock mortgages given to secure subscriptions to the Real Estate Bank of the state of Arkansas, approved January 16, 1861, and recommend that the before named bills be referred to the Committee on State Lands x

Report adopted and reference of bills to the Committee on State Lands ordered x

Senator Ferguson also submitted

S.B. 22x a report on Senate bill No 22, "an act to prevent cruelty to animals", with instructions from the Judiciary Committee to recommend that the bill do not pass x

Under the Rule,
Senator Watson, chairman of the Committee on Engrossed bills reported back Senate

S.B. 100. Bill No. 100, as correctly engrossed x

And then at the hour of 12 o'clock and 45 minutes p.m. the Senate, on motion of Senator Kerr adjourned x

Attest
Lee T. Kavanaugh
Secy.

M M Duffie
President of the Senate x

Senate Chamber,
Thursday, February 13th, 1879 x

The hour of 10 o'clock a.m. having arrived the President called the Senate to order x

And the roll being called it appeared that the following named members were present, and answered to their names, viz=

The President, Mr. Duffie, and Senators Armstead, T. Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Haima Harris, Hill, Judkins, Kerr, Mitchel, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington x

The following named Senators were absent, viz= Senators Hampton, Mulky, Williams and Wilson x

And a quorum announced x

Prayer by the Chaplain.

The Journal of yesterday was read, and there being no objection thereto it was approved and signed x

On motion of Senator Thornton, Senator Wilson was granted leave of absence for the day x

Senator Gatewood sent to the Secretary's desk the following Resolution, which was read=

Whereas - The Governor of the State of Arkansas, in his message submitted to this session of the General Assembly, states that of the amount of Fifty Thousand dollars appropriated in 1873, for the erection of a Lunatic Asylum, twenty-one thousand in scrip was drawn by the Trustees, sixteen thousand of which was expended in purchasing ground for the building, and five thousand converted into currency, realizing $3.366.61, out of which there has been paid for improvements on the ground for plans and specifications for buildings, and on other accounts, 1.104.16, therefore, be it,

Resolved, That the Governor of the State be requested to submit to the Senate a statement, showing how much of said sum of $1,104.16, has been expended for improvements on said land,

and of what said improvements consist; also the amount expended for plans and specifications for buildings, and submit the same for ~~the same~~ for the inspection of the Senate; and also on what other account any of said sum has been expended.

The Resolution on motion, was adopted.

S.B. 100. The hour of 10 o'clock and 30 minutes a.m. having arrived, the special order for said hour, Senate bill No. 100, was order up.

Senator Crowley moved that the special order be postponed to permit him to introduce a resolution, which was agreed to.

And then he forwarded to the Secretary's desk, the following, which was read:

Resolved, That the Committee of the Senate on Penitentiary, consolidate with the Penitentiary Committee of the House for the purpose of investigating the charges preferred by Dr. A. H. Scott, Penitentiary Physician, against Zeb Ward, Lessee of the Penitentiary.

On motion, the Resolution was adopted.

S.C.R. No. 1. On the Resolution of the Senate, (S.C.R. No. 1) providing for a Joint Committee to report to the General Assembly, in Joint Session, Constitutional amendments, (said resolution having been concurred in by the House) the President appointed the following named as the Committee in behalf of the Senate:

Senators, Hanna, Hampton, Mitchel and Wilson.

S.B. 100. The special order for 10½ o'clock, which had been postponed, being Senate bill 100, "an act to donate all the land forfeited to the state for non-payment of taxes, all swamp and overflowed lands lying in the Counties of Clark, Calhoun, Ouachita, Hot Spring, and all such lands in Dallas County, situate west of Range 15, West", was again ordered up, read a third time, and placed upon its final passage.

And the question being:
Shall the bill pass?
It was decided in the affirmative

Ayes — — — 23
Noes — — — 4
Not Voting — — 4

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Mitchel, Pennington, Stanford, Terry, Thornton, Watkins, White, Whittington, and the President — 23.

Voting in the negative were: Senators Reid, Rutherford, Tipton, Watson — 4.

absent and not voting were: Senators Hampton, McCoy, Williams and Wilson — 4.

And so the bill passed.

N.J.R. No. 1.

Senator Watson moved that the Rules be suspended, in order to call up for consideration, House Joint Resolution No. 1. Proposing an amendment to the Constitution of the State to prohibit the General Assembly from to levy any tax or make any appropriation to pay either the principal or interest, or any part thereof of any of the bonds known as the "Holford Bonds", "Railroad aid Bonds", and "Levee Bonds", and called for the ayes and noes thereon, which call was sustained.

And the question being:
Shall the Rules be suspended?
It was decided in the affirmative.

Ayes — — — 18
Noes — — — 8
Not Voting — — 5

Those who voted in the affirmative are: Senators Armistead, Boyd, Chism, Duncan, Ferguson, Gantt, Gatewood, Hanna, Hill, Kerr, Mitchel, Pennington, Stanford, Terry, Tipton, Watson, Whittington, and the President — 18.

Voting in the negative were: Senators Carlton, Crowley, Harris, Judkins, Reid, Rutherford, Thornton, White — 8.

Absent and not voting were: Senators Hampton, McCoy, Watkins, Williams, Wilson — 5.

And so the rules were suspended, and the Resolution ordered to be taken up and read a first time.

Senator Watson moved that the Rules be suspended, and the Resolution read a second time, and on that called for the ayes and noes, which call was sustained.

And the question being:
Shall the rules be suspended?
It was decided in the affirmative.

Ayes	16
Noes	8
Not Voting	7.

Those who voted in the affirmative are: Senators Boyd, Duncan, Ferguson, Gantt, Gatewood, Hanna, Hill, Kerr, Mitchel, Rutherford, Terry, Tipton, Watkins, Watson, Whittington and the President — 16.

Voting in the negative were: Senators Carlton, Crowley, Harris, Pennington, Reid, Stanford, Thornton, White — 8.

Absent and not voting were: Senators Armistead, Chism, Hampton, Judkins, Muckey, Williams, Wilson — 7.

And so, two-thirds of all the Senators present and voting, having voted in the affirmative, the rules were declared suspended, and the Resolution was then read a second time.

Senator Hill moved that the papers accompanying the Joint Resolution be read. Which was agreed to.

S.B. 3.

But the hour of 11 o'clock a.m. having arrived, the special order for that hour in Committee of the whole, being Senate Bill No. 3. "an act to fix the salaries of all state officers, and the per diem of members of the General Assembly," was ordered up.

Senator Reid moved that the special order be postponed for 15 minutes. Which was agreed to.

And then, Senator Mitchel submitted a report from the Committee on State Lands, which was read as follows:

Mr President:

S.B.25. Your Committee on State Lands, to whom was referred S.B. No. 25, beg leave to report that they have had the same under consideration, and recommend that the 4th section thereof be amended by adding thereto the following words:

"And all lands hereafter forfeited for the non-payment of taxes, and not redeemed as is now provided by law, be certified by the clerks of the respective counties to the county courts thereof, for classification, and when classified by said Courts, that said lands shall be entered on a record hereinafter provided for, and be subject to sale as is in this act provided"; and that the bill as amended do pass.

And the amendment having been read a first time,

Senator Ferguson moved that the Rules be suspended, and the amendment read a second time. which was agreed to. and the amendment was read.

On motion of Senator Carlton, the Rules were suspended.

Whereupon he submitted the following report, which was read and received.

Mr President.

S.B. 67. and S.B. 83 Your Committee on Judiciary would respectfully report that they have had under consideration, Senate Bills No. 67 and 83, which were referred to them, and finding ~~that~~ both bills had the same object in view, have considered them together, and recommend that No. 83, as amended, as hereinafter stated, be adopted, and that said bill No. 67, lie on the table; and that said bill No 83 be amended as follows; by adding to said bill, after the conclusion of Sec. 2, the following.

Sec. 3 - Be it further enacted, when an action at law, commenced and pending in the Circuit courts of either of said counties of Jefferson and Phillips, shall be changed into equitable proceeding, said Circuit Court shall order such cause to be transferred to the said separate court of Chancery of the County in which said cause is pending,

whereupon the papers in said cause, with a copy of the order in the case, shall be delivered, by the clerk, to the clerk of the Chancery Court, who shall place the case upon the docket of that court, and the action shall proceed as if originally brought therein x.

Sec. 4. Be it further enacted: When any issue arising in an action is to be tried in equity, without a change of the whole action into equity, the trial of such issue shall be by the Circuit Courts of said Counties of Jefferson and Phillips; and where all of the issues were such as heretofore were cognizable in Chancery, and the defendant elects to have them all tried in equity, the Court shall order the action to be transferred to the Chancery Courts of said Counties of Jefferson and Phillips, respectively; whereupon the same proceedings shall be had as are directed in the last section x

That section 3, as now numbered in said bill be numbered 5, and that after the word "all", in first line of said section, the word equitable be added, and in fourth line of said section, after the word "the", and before the word "said" strike out the words "Chancery side of"; that in 1st line of 4th. section, as now numbered in said bill strike out the word "present" x In section 5, as now numbered in said bill, amend by adding the word "Court-House" after the word "the", and before the word "County" x That section 3, as now numbered in said bill be numbered 5; and section 4 numbered 6 — Section 5 to be 7, and section 6, to be 8 x

The President announced that General D. H. Hill, President of the Arkansas Industrial University would lecture this evening at the hour of 7½ p.m. in the Hall of the House of Representatives, on the subject of the Industrial University in connection with the educational interests of the state x

Senator Judkins moved that the Rules be suspended, and that the report of the Majority of the Judiciary Committee, presented by Senator Carleton, be taken up for consideration x which was agreed to x

And the report and amendments being

before the senate, Senator White offered the following:

I move to amend section 7 of said bill, regulating the times for holding said separate courts of Chancery, so as to read as follows: In the County of Phillips, on the second Mondays in January and July, and in the County of Jefferson on the Third Mondays after the third Mondays in January and July of each year.

Amendment read a first time & the rules being suspended a second time. It was then, on motion, adopted.

S.B.3 And the time for which the special order, Senate Bill no. 3. "An act to fix the salaries of all state officers, and the per diem of members of the General Assembly" had been postponed, having expired, the same was taken up, and the Senate went into Committee of the whole, on its consideration, with Senator Pennington in the chair.

After some time spent therein the Committee rose, and through its chairman reported to the Senate that the Committee had the bill under consideration, and begged leave to return the same to the Senate with the request that the Committee be discharged. Report received, and, on motion, adopted.

Senator Watson moved that the bill be made the special order for tomorrow at 10.30 o'clock, a.m.

Senator Tatwood moved as an amendment that the bill be made a special order for Tuesday next at 10.30 o'clock a.m.

On this, Senator Watson called for the ayes and noes, and the call sustained.

And the question being:
Shall the amendment be adopted?
It was decided in the affirmative.

Ayes --- 17
Noes --- 10
Not Voting -- 4.

Those who voted in the affirmative are: Senators Armistead, Carlton, Duncan, Gantt, Gatewood, Hanna, Hill, Judkins, Mitchell, Reid, Terry, Thornton, Watkins, White, Whittington, Williams and the President — 17.

Voting in the negative were: Boyd, Chism, Ferguson, Harris, Kerr, Pennington, Rutherford, Stanford, Tipton, Watson — 10.

Absent and not voting were: Senators Crowley, Hampton, Muckey, Wilson — 4.

And so the amendment was adopted.

And then, the motion as amended was put and adopted.

On motion of Senator Gatewood, leave of absence was granted to Senator Williams until Monday next.

A message from the House was received, by John G. Holland Esq. its clerk, who being invited within the bar of the Senate read as follows:

Hall, House of Representatives
Feby. 13, 1879.

Mr President:

I am instructed by the House of Representatives to inform your Honorable body of the passage by the House of H. J. M. No. 2, "To the Honorable Senate and House of Representatives of the U. S.";

H.J.M. No. 2.

Also, H. B. No. 206, "an act to authorize a special term of the County Courts of Garland and Clark Counties";

H.B. 206.

Also, of the adoption by the House, of H. C. R. No. 2, "Making a Joint Committee of the Committees on the Penitentiary of the Senate and House of Representatives", and herewith respectfully transmit the same for your favorable consideration.

H.C.R. 2

I am also instructed by the House of Representatives to inform your Honorable body, that Hon. D. H. Hill, has been invited by the House to address the members of the General Assembly, and the invitation has been accepted for tonight, at 7½ o'clock, in the Hall of the House.

John G. Holland, Clerk.

Senator White, moved that the Rules be suspended, and that House Bill No. 206, be taken up for consideration × agreed to ×

And then the Rules, on motion, being suspended, it was read a first and second time ×

Senator Whittington moved that the bill be made a special order for tomorrow at 11 o'clock × agreed to ×

H.B. 40. Senator Kerr moved that the rules be suspended, and the Bill of the House, (H.B. No 40) entitled an act to donate lands to the Washington and Hope Railroad company, be taken up for consideration × which was agreed to ×

And the bill being read a first time, the rules, on motion, were suspended, and it was read a second time ×

And then, on motion of Senator Kerr, the bill with accompanying documents was referred to the Committee on Railroads, and other Improvements ×

Under the Rules,

S.B. 59. Senate Whittington, Chairman of the Committee on Railroads and other Improvements, reported back Senate Bill 59, "an act to donate certain lands to the Iron Mountain and Helena Railroad Company" with the amendments thereto, and recommended that the same do pass × Report received ×

S.B. 103. By Consent, Senator Chism introduced a bill (S.B. No. 103) entitled "an act to legalize and confirm the assessment levy, and collection of the taxes of Logan County, for the year, 1877 × Read a first time, and under a suspension of the rules, a second time ×

On motion referred to the Committee on Judiciary ×

S.B. 104. Senate Terry, by Consent, introduced a bill (S.B. 104) entitled "an act to restore to Perry County territory improperly detached therefrom, and attached to Conway County, under an act entitled an

act to create the County of Faulkner, and for other purposes, approved April 11. 1873" × Read a first time ×

Under the Rule,

S.B. 98. Senator Watson, chairman of the Special Committee on Reduction of County Expenditures reported back Senate Bill No. 98, "an act to empower Foremen of Grand Juries to issue subpoenas for witnesses," with the recommendation that the same do not pass, it being in violation of Art. 7. Sec. 49. of the State Constitution × Report received ×

S.B. 91. Senator Watson from the same Committee reported back Senate Bill No. 91, "an act to regulate the fees for issuing County scrip", and transmitted therewith a substitute bill, with the recommendation that the substitute do pass × Report received ×

And then, on motion of Senator Watkins, the Senate, at 1 o'clock p.m. adjourned until tomorrow, at 10 o'clock a.m.

M M Duffie
President of the Senate ×

Attest
Lud. T. Kretschmar
Secy.

Friday

Senate Chamber,
Friday, February 14, 1879.

The hour to which the Senate had adjourned — 10 o'clock, a.m. — having arrived, the President called the Senate to order ×

And the roll being called, it was found that the following named members were present and answered to their names, viz = Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Franson, Gantt, Gatewood, Haines, Harris, Hill, Jiadkins, Mitchel, Mucky, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Wilson and the President.

The following named members were absent, viz = Senators Hampton, Kerr and Williams × And a quorum announced ×

Prayer by the Chaplain ×

The Journal of yesterday was read, and after a verbal correction was approved and signed ×

Senator Gantt asked leave of absence for Senator Kerr until Tuesday next, the 18th. inst × Request granted ×

S.B. 56, and S.B. 28

Under the rule, Senator Watson Chairman of the Committee on Engrossed bills reported back, as correctly engrossed, Senate bill no 56, a substitute for Senate Bill no 28, "an act to authorize and empower the city Council of Cities of the first class to require an occupation license" ×

Senator Wilson, chairman of the Committee on Judiciary, reported back the petition of liquor dealers of Sebastian County with the recommendation that it be referred to the special Committee on the Liquor Traffic and Licenses × Report received and reference ordered ×

S.B. 57.

Senator Wilson from the same Committee reported back Senate Bill, no. 57, "an act to abolish the Pulaski Chancery Court, and to confer its jurisdiction upon the circuit court of Pulaski County", and expressing the opinion of the Committee that the proposed legislation is inexpedient, and that the

Feby 14. 1899

bill should not pass × Report received ×

Senator Watson of the Judiciary Committee asked leave to file, when prepared, a minority report on the bill × Request granted

Subsequently, Senator Watson laid on the Secretary's desk his minority report, which reads as follows =

Mr. President =

S.B. 57. A minority of your Committee on Judiciary, beg leave to make a minority report on Senate bill No. 57 "a bill to be entitled an act to abolish the Pulaski Chancery Court, and for cause of dissent say =

1st – Because, as appears from the Record of said Court, there are but twenty-nine cases pending before said court, in which decrees or judgments have not been rendered, brought by the state, or in which the state is interested ×

2nd. – Because it appears from the Record of said Court that there are now 260 cases, brought by private parties ×

3rd. – Because said Court is now used for the purpose of settling private litigation, when it was established for the purpose of trying cases in which the state was interested ×

4th. – Because the cases now pending in said Court, in which the state is interested; can be disposed of within the next two years; and no other suits of importance, in which the State would be plaintiff, is likely to be brought in said Court ×

5th. – Because the cases being brought by citizens of Pulaski county to settle private litigation, the duty should be imposed upon the Judge of the Circuit Court of said County ×

6th. – After the determination of the cases now pending before said Court, there will be nothing for said Court to act on, in which the state is interested, except such clerical business as can be done by Commissioners, Masters in Chancery and receivers ×

7th. – Because the Salary of the Chancellor would be saved to the state, and a large Contingent expense attached to said Court ×

Respectfully submitted
E. P. Watson ×

Friday

Senator Gatewood, Chairman of the Committee on claims, to whom was referred Senate Bill
S.B. 71. no. 71, an act for the relief of Alvin "Evanks and Benj. M. Grambling" reported back the same, with the recommendation that it do pass × Report received ×

Senator Gatewood, from the same
S.B. 51. Committee, reported back Senate bill no. 51, "an act for the relief of N. B. Pierce" without any recommendation × Report received ×

Senator Terry from the Committee on Corporations reported back without amendment, and with the recommendation that it do pass,
S.B. 41. Senate bill no 41, "an act to amend sec. 54 of the General Incorporation act, and to enlarge the jurisdiction of Police Courts" × Report received ×

Senator Hanna for the Finance Committee submitted a report, which was read as follows =

Mr President =

S.B. 4. Your Finance Committee to whom was referred Senate Bill No 4, "an act to be entitled an act for the relief of J. F. Trumpler", beg leave to state that they have had the same under consideration, and now report it back with the recommendation that it do pass with the following amendments, to-wit =

By striking out of the Preamble of the bill; "Five thousand, three hundred and sixty eight dollars and thirty cents, and interest for four and a half years" and inserting, in lieu thereof, "One thousand nine hundred and ninety-seven dollars, a balance due" ×

And by striking out of sec. one: Six thousand eight hundred and forty dollars and sixty cents", and inserting, in lieu thereof, "One thousand nine hundred and ninety-seven dollars" ×

And by adding after the word "J. F. Trumpler" in 5th line of sec. 2 =

"Provided, upon the receipt of the sum herein authorized to be paid, the said J. F. Trumpler relinquishes to the state any further claim growing out of the seizure of his property by the state authorities in 1874."

Report Received

S.B. 16

Senator Pennington, Chairman of the Committee on County and County lines, reported back House bill No. 16, "an act to change the Boundary line between Baxter and Stone Counties", and recommended that the same do Pass with the following amendment which shall be known as section 2, in said bill=

§. 2.- That it shall be the duty of the clerk of Stone County, upon the passage of this act, to ascertain the amount of indebtedness now existing against Stone County, and the portion of Stone County attached to Baxter County, by this act, shall be liable for its proportional part thereof, and the sheriff of Baxter county, upon receiving from the Clerk of Stone County a statement of the proportional indebtedness aforesaid, shall collect the same, and pay it to said Stone County out of the taxes for the year 1880.×
Report received ×

S.B. 90.

The order being unfinished business, S. B. No. 90, "an act to give County Courts the authority to hold special terms of County Courts in their respective counties" was taken up and ordered to a third reading ×

A message from the House was received, by John G. Holland, Esq. its Clerk, who, being invited within the bar of the Senate, read as follows=

Hall House of Representatives,
February 14, 1879×

Mr President= I am instructed by the House of Representatives to inform your honorable body of the passage by the House of the following Resolution=

Resolved, That Dr. Barnas Sears, Agent of the Peabody Fund, be invited to address the House today, at 12 o'clock; and to further inform you that the invitation has been accepted by Dr. Sears

John G. Holland, Clerk ×

S.B. 22.

Senate Bill No 22, "an act to prevent cruelty to animals" was, together with the report recommending its rejection, taken up×
Senator Boyd moved to lay it upon the table subject to call × Agreed to ×

Friday

S.B. 25 The bill of the Senate (S.B. No. 25) "An act to donate to the respective counties in which the same are situate, all lands forfeited to the state for the non-payment of taxes" was taken up, and ordered engrossed for a third reading x

S.B. 70 Senate Bill No. 70. "A bill to require Circuit Judges to interchange circuits in certain cases" was, together with the reports of the Judiciary Committee thereon, taken up for consideration x

Senator Watson moved that the Minority report recommending the passage of the bill be adopted, and on the motion called for the ayes and noes which was sustained:

And the question being:
Shall the Minority report be adopted?
It was decided in the negative x

Ayes	6
Noes	21
Not Voting	4

Those who voted in the affirmative are: Senators Armstead, Ferguson, Muckey, Pennington, Stanford, Watson — 6 x

Voting in the negative were: Senators Boyd, Chisin, Crowley, Duncan, Gantt, Gatewood, Hahna, Harris, Hill, Jenkins, Mitchel, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, White, Whittington, Wilson and the President — 21 x

Absent and not voting: Senators Carlton, Hampton, Kerr and Williams — 4 x

And so the Minority report was rejected x

It was then moved that the Majority report be adopted, and pending consideration thereof

H.B. 206. The hour of 11 o'clock, a.m., having arrived, the special order for that hour, House Bill 206, was ordered to be taken up x

Senator White moved that the special order be postponed for 15 minutes x which was agreed to x

And the question being shall the majority report of the committee, recommending the rejection of Senate bill No 70, be adopted, it was adopted x

S.J.R. 3 The Joint Resolution of the Senate (S.J.R. No. 3.) proposing an amendment to the Constitution to abolish the office of County assessor, and providing for Township assessors to be paid by the per diem, was taken up and read for information x

Senator Watson moved that the blank at the close of the first clause be filled by the numerals XX, so that it should read "article XX." The motion was adopted x

Senator White moved to amend the title of the Resolution so that it should read, "to abolish the office of one county assessor, and creating 10 County assessors for each County x

The amendment was read a first time, and the rules being suspended a second time x

It was then moved that the amendment be adopted, which motion was lost x

And then, on motion of Senator Watson, the Resolution was ordered engrossed and made the special order for tomorrow morning at 10.30 o'clock x

H.B. 40 The time for which the special order had been postponed having expired, the same, it being H.B. 40, "An act to authorize a special term of the County Courts of Garland and Clark Counties, was ordered up for a third reading, which was done x

And the question being=
Shall the bill pass?
It was decided in the affirmative x

Ayes — — —	26
Noes — — —	0
Not Voting — —	5

Those who voted in the affirmative are = Senators Armistead, Boyd, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Mitchel, Mulky, Pennington,

Friday

Reid Rutherford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington Williams and the President-26

None voted in the negative x

Absent and not voting were = Senators Carlton, Hampton, Kerr, Stanford Williams — 5

And so the bill passed x

The order still being unfinished business

S.B. 86. The bill of the Senate, (S.B no. 86) was taken up and, on motion, ordered engrossed and to a third reading x

S.B. 98. Senate Bill no. 98, "an act to empower the foremen of Grand Juries with the authority to issue subpoenas for witnesses", was taken up x

Senator White moved that the report of the special committee on County Expenditures, recommending the rejection of the bill be adopted x which motion was agreed to, and the bill thereupon declared rejected x

S.B. 87. Senate Bill, 87, "an act to amend section 115, of Gantt's Digest" was taken up and ordered engrossed for a third reading x

S.B. 101. Senate bill no. 101, "an act to amend sections 1544, 1547 and 1551 of Gantt's Digest of the Statutes of Arkansas", being a substitute for Senate Bill, no. 7, was taken up, under a suspension of the Rules, and read a first time.

On motion the rules were again suspended, and the bill read a second time x

It was then on motion ordered engrossed for a third reading

A message from the House by John G. Holland, Esq. its clerk, was received, and the Messenger being invited within the bar of the Senate, he read as follows:

Hall, House of Representatives.
February 14. 1879.

Mr President =

H.B. 10 — I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H.B. No 10, "an act to be entitled an act to regulate the sale of property under Mortgages and Deeds of Trust" ×

H.C.R. 3. — Also, of H.C.R. No 3, "Instructing the committees on Insane asylum, of both houses, to report a bill providing for an Insane Asylum", and herewith respectfully transmit the same for your favorable consideration ×

S.J.M. 1. — I am also instructed to inform you of the passage by the House, of S.J.M. No 1, To the U. S. Congress for an appropriation for $20,000 to protect the river front of the city of Pine Bluff, and herewith respectfully return the same ×

John G. Holland, Clerk ×

S.B. 59. — Senate Bill 59, an act to donate certain lands to the Iron Mountain and Helena Railroad company, was taken up, and, on motion laid on table, subject to call ×

S.B. 83. — Senate Bill 83, an act to establish separate courts of Chancery in the counties of Phillips and Jefferson, in the state of Arkansas" was taken up, and the amendments thereto read a second time, and, on motion, adopted ×

Senator Watson moved to strike out the enacting clause of the bill × which was not agreed to ×

Senator Reid moved, that for the purpose of further amending the bill in accordance with the wishes of its friends, it be referred to Senators White and Carlton as a special committee ×

Which motion was agreed to ×

S.B. 105. — Senate Bill, 105, "an act to regulate the fees for issuing County scrip", was taken up and read a first time ×

Friday.

On motion the rules were suspended and the bill read a second time x

It was then, on motion ordered engrossed and to a third reading x

Senator Judkins moved that the Rules be suspended, to permit the Chairman of the Judiciary Committee to submit a report x which was agreed to x

S.B.102. And then, Senator Wilson reported back Senate bill No.102, "An act supplemental to an act to change the time for holding the Circuit Courts in the Third Judicial Circuit" with the recommendation that the bill do pass x.

On motion of Senator Judkins the Rules were suspended, and the bill read a third time and placed upon its final passage

And the question being=
Shall the bill pass?
It was decided in the affirmative x

Ayes ---	26
Noes ---	0
Not Voting --	5

Those who voted in the affirmative are= Senators Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, McKey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Wilson, and the President — 26 x

None voted in the negative x
absent and not voting were= Senators Armstead, Hampton, Kerr, Mitchel, Williams x

And so the bill passed x

S.B. 90 On motion of Senator Duncan, the Rules were suspended, and Senate Bill No.90, "An act to give County Courts the authority to hold special terms of County Courts in their respective Counties", was taken up, read a third time, & placed upon its final passage x

And the question being =
Shall the bill pass?
It was decided in the affirmative x

Ayes — — —	25
Noes — — —	1
Not Voting — —	5

Those who voted in the affirmative are = Senators Boyd, Carlton, Chism, Crowley, Duncan, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Mitchel, Mucky, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, Whittington, Wilson and the President — 25

Senator Ferguson voted in the negative x

Absent and not voting were = Senators Armistead, Hampton, Kerr, White and Williams — 5 x

And so the Bill passed x

By consent, and under a suspension of the Rules,

S.B. No. 106. Senator Reid introduced a bill, (S.B. no. 106) entitled "an act to amend Section 3605 of Gantt's Digest" which was read a first time x

S.B. 107. The Rules, on motion, being suspended, Senator Gatewood introduced a bill, (S.B. no. 107) entitled "an act to amend the law in relation to the practice upon trials at law, in civil causes"; which was read a first time x

On motion of Senator Rutherford, Senator Tipton was given leave of absence until Tuesday night, the 18th. inst x

And then, on motion of Senator Duncan, the Senate, at 12 o'clock and 10 minutes p.m. adjourned until tomorrow at 10 o'clock a.m. x

Attest
Lar. J. Kretschmar
Secy

M M Duffie
President of Senate x

Senate Chamber,
Saturday, February 15, 1879 x

The hour of 10 o'clock a.m. having arrived, the President called the Senate to order x

And the Roll being called, it appeared that the following named members were present and answered to their names viz=

The President, Mr. Duffie, and Senators Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gatewood, Hanna Harris Heilo, Judkins, ~~Judkins~~, Mitchell, Murphy, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Watson, Watkins Whittington, White Wilson x

The following named members were absent viz= Armistead, Gantt, Hampton, Kerr, Tipton and Williams x

And a quorum announced x

The Journal of yesterday was read and there being no objection thereto it was approved and signed x

On motion of Senator Pennington, Senator Gantt was granted leave of absence until Monday next, the 17th. inst x

Senator Armistead appeared in his seat and answered to his name x

Senator Ferguson presented a Memorial from J. M. Kellogg and a number of other citizens of Arkansas County, asking that the law in relation to the exemption of property from execution be repealed x

Memorial Read, and on motion referred to the Committee on Memorials x

Senator Ferguson presented another memorial from J. M. Kellogg & several other citizens of Arkansas County, protesting against, and asking the repeal of the law which compels citizens to make an oath or affirmation in Courts of Justice x On motion referred to the committee on Memorials x

Feby. 15. 1869.

And the hour of 10 o'clock and 30 minutes having arrived, the special order for that hour, being Senate Joint Resolution No 3, was, on motion, postponed, the same being in the hands of the Engrossing Committee ×

Under the Rule,
Senator Harris presented the following resolution which was read =

Mr President =

Your Committee on Public Expenditures, having taken into consideration the Resolution passed by this Senate, at the beginning of its Session, allowing to each senator, to be paid for out of the State Treasury, fifteen daily newspapers, or their equivalent in weeklies, and twenty cents postage per day, and having concluded that, the expense incurred, by reason of said resolution, is greatly in excess of the benefit derived from said papers and postage, have instructed me to present, for the consideration of the Senate, the following resolution, to-wit =

Resolved, that the order heretofore made, by the passage of a resolution in this Senate, granting to each Senator fifteen daily newspapers and twenty cents postage per day, and a subsequent order extending the benefits of said resolution to the officers of this Senate, be, and the same are, hereby, rescinded ×

This resolution is respectfully submitted, and its adoption earnestly recommended ×

On motion that the Resolution be adopted, the ayes and noes were called, and the call sustained ×

On the question being =
Shall the Resolution pass?
It was decided in the affirmative ×

Ayes ---	17
Noes ---	7
Not Voting --	7

Those who voted in the affirmative are = Senators Boyd, Chism, Duncan, Ferguson, Gatewood, Hanna, Harris, Hill, Mackey, Pennington, Rutherford, Stanford, Terry, Watkins, Watson, Wilson and the President — 17 ×

Saturday

Voting in the negative were = Senators Crowley, Judkins, Mitchel, Reid, Thornton, White, Whittington — 7 x

Absent and not voting were = Senators Armistead, Carlton, Gantt, Hampton, Kerr, Tipton, Williams — 7 x

And so the Resolution was adopted x

And the ballot being announced Senator Terry gave notice that he would move a reconsideration of the vote by which the Resolution was adopted, on Monday next x

Under the Rule,

S. J. R. 3.

Senator Watson, chairman of the Committee on Engrossed Bills, reported Senate Joint Resolution No. 3. as correctly engrossed, and forwarded the same to the Secretary's desk x

Whereupon, it being the special order temporarily postponed, it was moved that it be read a third time & placed upon its final passage x

and a quorum not voting, a call of the Senate was demanded,

When it was found that the following named Senators were present and answered to their names = viz =

Senators Boyd Chism, Crowley, Duncan, Ferguson, Gatewood, Hanna, Harris, Hill, Judkins, Mitchel, Muckly, Pennington, Reid, Rutherford, Stanford, Terry, Watkins, Watson, White, Whittington, Wilson, and the President x

Absent were = Senators Armistead, Carlton, Gantt, Hampton, Kerr, Thornton, Tipton, Williams x

And a quorum being present and announced,

S. J. R. 3.

The Resolution, (S. J. R. No. 3.) proposing an amendment to the Constitution to abolish the office of County assessor, and providing for County assessors, was ordered to be read a third time and placed upon its final passage x

And the question being=
Shall the Joint Resolution pass?
It was decided in the negative.

Ayes ——— 7
Noes ——— 17
Not Voting —— 7

Those who voted in the affirmative are = Senators Crowley, Duncan, Ferguson, Galewood, Pennington, Watkins, Watson — 7.

Voting in the negative were = Senators Boyd, Chism, Hamel, Harris, Hill, Judkins, Mitchell, Mulkey, Reid, Rutherford, Stanford, Terry, Thornton, White, Whittington, Wilson, and the President — 17.

Absent and not voting were = Senators Armistead, Carlton, Gantt, Hampton, Kerr, Tipton, Williams — 7.

And so the Joint Resolution failed to pass.

Committee on Journals

Senator Reid offered the following Resolution which was read=

Resolved, That a Committee of three be appointed on Journals, who shall examine and report the condition of the same.

On motion the Resolution was adopted and the President named the following senators to act as such Committee, viz=
Senators Reid, Rutherford and Boyd.

Sub-Committee on Penitentiary

Senator Crowley submitted the following resolution which was read=

Resolved, by the Senate, the House of Representatives concurring therein, that a sub-committee of three be selected from the Consolidated Committee from both houses on Penitentiary, to complete the taking of the evidence in the matter of the charges preferred by Dr. A. H. Scott, Physician of the Penitentiary, against Col Bob Ward, Lessee of the State Penitentiary, and that said Committee be composed of the following members Senator White, Chairman, and Representatives Barker.

Saturday

and Davidson of Sharp, and that they be authorized and empowered to send for persons and papers.

On motion, the Resolution was adopted.

Senator Duncan sent to the Secretary's desk the following resolution, which was read:

Committee on Insane Asylum

Whereas, Searcy, White County, is near the central portion of the state, is an accessable point, and a very healthy location, therefore be it,

Resolved, That the sub-Committee heretofore appointed to visit Hot Springs and Dardanelle Springs to investigate the practicability of locating a Lunatic Asylum for the state, at either of said points, be also instructed to visit said town of Searcy, to inquire into the advantages of locating said Asylum at said town of Searcy.

Senator Judkins moved to amend the Resolution, by adding thereto the words "Warm Springs in Randolph county."

Senator White moved to amend the Amendment by adding to it: "Waldron in Scott County." which motion was lost.

Senator Reid moved to amend that the Committee be instructed to visit every county in the state. which was lost.

Senator Judkins, by permission withdrew his resolution.

Senator Boyd moved to amend that the Committee should visit Perryville, in Perry County. Motion lost.

Senator White moved to amend that the Committee be instructed to visit Buck Snort, in Dallas County. Not agreed to.

Senator Reid moved that the Resolution be tabled. which was adopted.

Under the Rule -

Senator Ferguson, Chairman of the Committee on Agriculture, submitted a report on senate

bill no. 92, "an act to aid in the Preservation of Deer and Birds; and transmitted therewith a
S.B. 92. substitute bill, with the recommendation that the substitute do pass × Report received ×

Senator Chism, Chairman of the Committee on Public Roads, reported back Senate
S.B. 65 Bill No. 65. "an act to amend sec. 1. of an act entitled an act for the Government of County Jails and Poor Houses, approved November 5. 1875" with the recommendation that the bill, as amended before referred, do pass × Report received ×

Senator Harris, Chairman of the Committee on Public Expenditures, reported
S.B. 76 back House bill no. 76, "an act for the Security of the funds of the state in the Treasury", and recommended that the bill be rejected × Report received ×

Senator Wilson, Chairman of the Judiciary Committee, to whom were referred Senate
S.B. 23. Bill no. 23 "an act to reduce the outstanding liabilities of the state" reported the same back with the recommendation that the bill do pass × Report received ×

Senator Wilson, from the same
S.B. 21. Committee, submitted a report on Senate Bill No. 21, "an act to authorize the Secretary of State to furnish volumes of the Arkansas Reports to the Clerks of Certain Counties", and recommended the passage of the bill as amended × Report Received ×

Senator Wilson, from the
S.B. 103. same Committee, reported back Senate Bill No. 103, an act to legalize and confirm the assessment levy and collection of the taxes of Logan County for the year 1877", with the recommendation that the bill do pass × Report received ×

Senator Wilson also submitted
S.B. 19. a report from the Judiciary Committee, on Senate Bill No. 19, "an act to repeal an act entitled an act to provide means for paying the expenses of the State Government, and to retire the outstanding auditor's Warrants", and recommended that the bill do not pass ×

Senator Watson asked that he be permitted to file, when prepared, a minority report, in relation to the bill × Permission granted ×

Senator Watson then moved that the bill and report be laid upon the table subject to call × Which was agreed to ×

Senator Wilson submitted a further report from the Judiciary Committee, on Senate Bill No. 26. "An act to repeal Section 2. of an act entitled an act to regulate the salaries of special judges, approved Feby. 23. 1875." with the recommendation that the same do not pass ×

On motion the report of the Committee was adopted, and the bill declared rejected ×

Senator Whittington, Chairman of the Committee on Railroads and other Improvements, presented a report which was read as follows=

Mr President=

The Committee on Railroads and other Improvements, to whom was referred Senate bill No. 50, "An act to encourage the building of railroads in the state of Arkansas", together with sundry proposed amendments thereto, have had the same under consideration, and are of opinion that the following amendments, only, should be adopted, to-wit= At the close of section 1. add the following=

"And provided further that so much of said lands as lie in Benton County, shall not be conveyed by the Governor unless such railroad be completed to Bentonville" ×

Amend sect. 2. by striking out Logan and inserting Johnson in lieu thereof ×

Amend also by adding to the bill sections 4 and 5 hereinafter transmitted ×

§. 4.- Be it further enacted, that at the expiration of the times specified in this act, it shall be the duty of the Commissioner of State Lands to ascertain if such railroad is completed, as herein provided, and if such road be not so completed, he shall place such lands upon the record of his Office for Sale or Donation ×

§. 5.— Be it further enacted that this act take effect and be in force from and after its passage.

And I am instructed to report the bill back, and recommend that the same pass as amended.

The amendments having been read a first time, the rules, on motion, were suspended, and they were read a second time.

Senator Watson offered an amendment which was read as follows:

Amend the proposed amendment in line 22 after Buttonville, by adding: And shall establish a depot within three-fourths of a mile of the Court House situated in said town.

Amendment read a first time and, the rules, on motion, being suspended a second time.

Senator Watson then moved that the amendment be adopted, and thereupon called for the ayes and noes. Call sustained.

And the Question being:
Shall the amendment be adopted?
It was decided in the affirmative

Ayes — — —	21
Noes — — —	2
Not Voting — —	8.

Those who voted in the affirmative are: Senators Boyd, Chism, Crowley, Finguson, Gatewood, Hanna, Harris, Hill, Judkins, Mitchel, Mulkey, Reid, Rutherford, Stanford, Terry, Thornton, Watson, White, Whittington, Wilson and the President — 21.

Voting in the negative were: Senators Duncan and Watkins — 2.

Absent and not voting were: Senators Armistead, Carlton, Gantt, Hampton, Kerr, Pennington, Tipton and Williams — 8.

And so the amendment was adopted.

And then, on motion, the amendments as amended, were adopted ×

Senator Wilson moved that the bill be ordered engrossed, and made the special order for Monday, next the 19th. inst at 10.30 oclock

Which was agreed to ×

Senator White of the Special Committee on Senate Bill No. 83, presented the following report which was read =

Mr. President =

Your special Committee, to whom was referred Senate bill No. 83, beg leave to report the same back and recommend that the same be amended by adding the County of Chicot at all places where the Counties of Jefferson and Phillips occur, so that said County of Chicot may be included in the jurisdiction of the Chancellor of the Pulaski Chancery Court, and a separate Court of Chancery be also provided for said County of Chicot =

That sec. 7 of said bill, providing for the holding of said separate Courts of Chancery be amended so as to read as follows =

The Court shall hold its regular terms in the County of Phillips, on the 3rd Monday of January and July of each year × In the County of Chicot, on the second Monday after the third Monday in January and July of each year × In the County of Jefferson, on the 4th Monday after the third in January and July of each year ×

The amendments were read a first time, and, under a suspension of the rules, a second time ×

And then, on motion of Senator White they were adopted ×

Senator White moved that the bill be engrossed and made the special order for Monday, the 19th. inst at 11 oclock × which was agreed to ×

On motion of Senator White the rules were suspended, and the Memorial of the House (H.J.M. No. 2,) to Congress, asking for the appointment of three colored men to inquire into the condition and intellectual status of the colored people of the South, was taken up for consideration and read a first time ×

On motion, the rules were suspended and the Memorial read a second time ×

Senator White moved that the Memorial and papers accompanying it, be referred to the Committee on Memorials × which was agreed to ×

Senator White moved that the Senate take a recess until 7½ o'clock P.M. for the purpose of taking up for consideration, at said hour, bills on their third reading × Motion lost ×

H.J.R. # 1.

Senator Watson moved a suspension of the Rules, to take up House Joint Resolution No. 1. proposing an amendment to the Constitution of the state. to be submitted to a vote of the people ×

Objection being made Senator Watson called for the ayes and noes on the motion, and the call was sustained ×

And the question being =
Shall the Rules be suspended ?
It was decided in the affirmative ×

Ayes — — —	15 —
Noes — — —	6
Not Voting — —	10

Those who voted in the affirmative are = Senators Boyd, Chism, Duncan, Ferguson, Gatewood, Hamma, Hill, Mitchel, Pennington, Rutherford, Terry, Watson, Watkins, Whittington and the President — 15 ×

Voting in the negative were = Senators Harris, Judkins, Reid, Stanford, Thornton, White — 6 ×

Absent and not voting were = Senators Armistead, Carlton, Crowley, Gault, Hampton, Kerr, Mackey, Tipton, Williams, Wilson — 10 ×

And so the motion to suspend the Rules was adopted, and the Joint Resolution ordered up for Consideration x

Senator Terry moved to amend the Resolution as follows = Insert after the last word in the proposed Amendment to wit = Provided that nothing herein contained shall be construed as a prohibition against the payment of such part of the Holford bonds as the courts of the state may decide to be legally or equitably due from the state, if such decision should be made x Read twice

Senator Watson moved that the Resolution and amendments be referred to the Joint Committee on Constitutional Amendments x which motion was not agreed to x

Senator White offered the following amendment, which was read a first time x

Insert after the words bonds, That all of such bonds as are now or may hereafter be decided to have been illegally or fraudulently issued x

On motion the Rules were suspended, and the Amendment read a second time x

Senator White moved that the Resolution and Amendments be referred to the Judiciary Committee x

Senator Watson moved, as a substitute that they be referred to the Joint Committee on Constitutional Amendments x

On this motion Senator White called for the ayes & noes, and the call sustained x

And the question being =
Shall the Resolution and Amendments be referred to the Joint Committee ?
It was decided in the negative x

Ayes — — —	5
Noes — — —	18
Not Voting — —	8

Those who voted in the affirmative are = Senators Boyd, Ferguson, Pennington, Rutherford, Watson — 5 x

Voting in the negative were = Senators Chism, Crowley, Duncan, Eatenwood, Hanna, Harris, Hill, Judkins, Mitchel, Reid, Stanford, Terry, Thornton, Watkins, White, Whittington, Wilson and the President — 18

Absent and not voting were = Senators Armistead, Carlton, Gantt, Hampton, Kerr, Muckey, Tipton, and Williams — 8

And so the motion to refer to the Joint Committee was lost ×

And then the motion to refer the Resolution and Amendments to the Judiciary Committee was adopted ×

Senator White moved that the Senate take a recess till 1 1/2 o'clock P.M.

Senator Reid moved as a substitute that the Senate adjourn until Monday Morning at 10 o'clock and 30 minutes × Which was agreed to ×

And then, at 12 o'clock and 55 minutes P.M. the Senate adjourned until Monday morning, the 17th. inst at 10 o'clock ×

M M Duffie
President of Senate ×

Attest,
Lewis J. Kretzschmar
Secy

Senate Chamber,
Monday, February 17, 1879.

The Senate met, pursuant to adjournment, at 10 o'clock A.M. and was called to order by the President ×

And the roll being called it was found that the following named members were present and answered to their name, viz:

The President Mr Buffin, and Senators Armistead, Boyd, Carlton, Crowley, Duncan Ferguson Gatewood, Hanna, Harris Hill, Judkins, Mitchel, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Watkins, Watson, White, Williams, Wilson, ~~and the President~~.

The following named members were absent, viz: Senators Chism Gantt, Hampton, Kerr, Mucky, Tipton Whittington ×

And a quorum announced ×

Prayer by the Chaplain, Rev. Mr. Buchanan ×

The Journal of Saturday was read, and there being no objection thereto it was approved and signed ×

Under the Rule,

S.B. 50, 101, 105 and 86.

Senator Watson submitted a report from the Committee on Engrossed bills, and reported back as correctly engrossed Senate bills Nos. 50, 101, 105. He also reported back Senate bill, 86, as not correctly engrossed × Report received ×

S.B. 83

Senator Boyd from the same Committee reported back Senate bill 83, as not correctly engrossed ×

On motion of Senator Pennington, indefinite leave of absence was granted to Senator Gantt, on account of illness in his family ×

Senator Armistead presented a petition from citizens of Franklin Co, of both sexes, regarding the sale of liquor in Charleston in said County × Petition read ×

Senator Pennington, presented a memorial from W. L. Gardner and many other citizens of Grant County, asking that the territory in which they reside be detached from Grant County and attached to the County of Hot Springs

Senator Pennington also presented a remonstrance from a large number of citizens of said Grant County, protesting against granting the prayer of the petitioners ×

On motion of Senator Pennington the petition and remonstrance were referred to the Committee on County and County Lines ×

Under the Rule,

Senator Wilson offered the following Resolution which was read =

S.R. No 49. Resolved, That Rule No 49, for the government of the Senate, be so amended as to read as follows =

When the Senate adjourns it shall be to 9½ o'clock, a. m., of the next succeeding day, unless another day and hour be specifically named × On motion the Resolution was adopted ×

The hour of 10 o'clock and 30 minutes having arrived, being the hour set apart for the

S.B. No. 50 consideration of Senate bill No. 50, "an act to encourage the building of Railroads in the state of Arkansas" was taken up for a third reading ×

Pending consideration thereof, Senator Boyd announced the presence in the Senate Chamber of a Committee of citizens of Little Rock, headed by the Mayor of the city, and bearing a petition which they desired to submit to the Senate × He moved that they be invited to seats within the bar of the Senate × Agreed to ×

The petition, which prayed for the passage, by the General Assembly, of a bill to prevent cruelty to animals, was then, on motion, read ×

Consideration of Senate Bill No. 50,

S.B. No. 50 was resumed, when it was read a third time, and placed upon its final passage ×

And the question being:
Shall the bill pass?
It was decided in the affirmative x

Ayes ---	16
Noes ---	6
Not Voting --	9

Those who voted in the affirmative are: Senators Crowley, Duncan, Ferguson, Gatewood, Hamma, Harris, Hill, Judkins, Mitchell, Pennington, White, Wilson, Stanford, Terry, Thornton, Watkins — 16 x

Voting in the negative were: Senators Armistead, Boyd, Reid, Rutherford, Williams and the President — 6

Absent and not voting were: Senators, Carlton, Chism, Gantt, Hampton, Kerr, Muckey, Tipton, Watson, Whittington — 9 x

And so the bill passed x

Senator White submitted a resolution which was read as follows:

Resolved, That an evening session of the Senate be held at 7½ o'clock each evening, at which time bills upon their third reading and matters in Committee of the Whole shall be considered the special order for such meetings x

A motion to adopt the Resolution was lost x

Senator Terry moved that when the Senate do adjourn it be to 8½ o'clock P.M. x Motion lost x

S.J.R. No. 5./

Senator Gatewood submitted a Joint Resolution (S.J.R. No. 5.) authorizing the Governor to appoint a commission to draft Revenue Laws, to submit to the next Annual Assembly x which was read a first time, and, the Rules being suspended, a second time x

It was then, on motion, referred to the Committee on Finance x

Senator Terry moved that the vote by which the resolution to provide a certain number of newspapers and postage for the same was rescinded be reconsidered x

And the hour of 11 o'clock having arrived the special order Senate Bill, No. 83, was, on motion of Senator White, ordered to be engrossed and made the special order for tomorrow at 11 o'clock, a. m.

SB. 83.

Senator Rutherford moved to lay the motion to reconsider on the table x not agreed to x

And the motion to reconsider being before the Senate, Senator Rutherford called for the ayes and noes thereon x Call sustained x

And the question being:
Shall the motion to reconsider be adopted?

It was decided in the affirmative

Ayes — — —	13.
Noes — — —	10
Not Voting — —	8.

Those who voted in the affirmative are: Senators Armistead, Boyd, Browley, Jackins, Nitchie, Reid, Stanford, Terry, Thornton, Watkins, White, Williams Wilson — 13 x

Voting in the negative were: Senators Duncan, Ferguson, Gatewood, Hanna, Harris, Hill, Pennington, Rutherford, Watson and the President — 10 x

Absent and not voting were: Senators, Carlton, Chism, Garrett, Hampton, Kerr, McKay, Tipton, Whittington — 8 x

And so the motion to reconsider was adopted x

The rescinding resolution of the Committee on Public Expenditures was then taken up.

When Senator Duncan offered the following resolution which was read as a substitute:

Resolved, That each Senator be allowed seven daily newspapers, or their equivalent in Weeklies, and ten cents in postage stamps.

Which was not adopted x

Senator White moved to lay the report and resolution of the Committee on Public Expenditures on the table.

And the ayes and noes thereon being called for, the call was sustained x

And the question being:
Shall the report and resolution be laid upon the table?
It was decided in the affirmative x

Ayes — — —	12
Noes — — —	11
Not Voting — —	8

Those who voted in the affirmative are: Senators Armistead, Boyd Crowley, Judkins Mitchel, Reid Stanford, Terry, Thornton, Watkins White, Williams — 12 x

Voting in the negative were: Senators Duncan, Ferguson, Gatewood, Hanna, Harris, Hill, Pennington, Rutherford Watson, Wilson and the President — 11 x

Absent and not voting were: Senators Carlton, Chism, Gantt, Hampton, Kerr, Mackey, Tipton, Whittington — 8.

And so the motion to table was adopted x

Senator Judkins moved to reconsider the vote by which the motion to table was adopted, and to lay this motion on the table x Agreed to x

By consent Senator Thornton of the Special Committee appointed to visit the Arkansas Industrial University at Fayetteville forwarded to the Secretary's desk a report, which was read as follows:

To the President of the Senate and Speaker of the House of Representatives.

Your Committee appointed to visit the State Industrial University at Fayetteville, in pursuance of Senate Joint Resolution No. one, beg leave to submit the following report:

We would say that after a passage over the Mountains of the great Northwestern Country, made famous in the history of the state by their altitude, and consequent healthfulness and picturesque grandeur, we made the place of our destination, and so soon as convenience allowed presented our credentials, making known through formal means the object of our visit. The President of the Institution, Isaac D. H. Hill, received us in a manner in keeping with the high trust imposed by the Assembly, and at once placed the services of himself and all subordinates and appurtenances of the University at our disposal, in order that there might be a thorough investigation and examination into all its parts and effects. The time of two days was consumed by your committee in the pursuit of the programme thus laid down, it may be said that no feature of the slightest essential character was overlooked or hastily investigated. We feel warranted in thus stating, not from any especial ability upon our part, but for the reason of the great importance of the matter, and a due appreciation of the same by your Committee, and the fact that the facilities afforded by the present and the faculty were all that could have been desired. The institution has to be seen to be appreciated. We feel that any other expression would fail to indicate the real situation. Situated upon a beautiful and elevated location, the proper distance from the business centre of the Northwestern capital to produce that quiet so essential for purposes of study and thought, its massive and grand appearance combined with the broad and deep means for education presented within must strike every true Arkansian as a glorious cause for rejoicing and self-congratulation. The conduct of the Institution in general cannot be too highly commended not only in the point of the excellence of theory, of the courses of study and practice, which are happily combined, but as well from a moral point of view

which latter, too often in our first sects of learning fail to comply with genteel deportment, and clouds and obscures, sometimes wholly breaking down magnificent effects of the more intellectual features x

We would say that to the President, Gen. D. H. Hill should be given great praise and credit for this efficient condition in the two most essential parts of true Education x It may be said with truth that in no case does the hand of this great and good man fail to appear x Not only is the means for English Education most ample, and form the leading departments of practical scholastic advantages, but the classics form a prominent feature of the whole course x The languages, Greek, French, Latin and German; the sciences, engineering, chemistry, Geology; the arts, music instrumental and vocal in their most excellent parts for male and female drawing as taken up and taught show a state not surpassed by the older and more advanced States; perhaps far in advance of the best facilities of like character in any southern institution x These things were impressed upon your Committee not by a rapid — a nominal investigation, but a systematic and a slow ascertainment of the facts; not so much impelled by local pride as by a comprehensive view of the matter in a manner that carried out our positions as sworn officers of state accredited to immediate constituencies and to the Commonwealth at large

The attendance has been greatly augmented during the past year, and shows a list of three hundred and seventy-five matriculates, from the various sections of the State x We believe that the increase the coming year must be far in advance of any previous period of the same length x Considering the recent additions that we have previously alluded to, and the energetic efforts put forth by the President, to impress upon the minds of our people the grand advantages that they possess at home x This, of course, is conditioned upon a sufficient appropriation by this body to keep up and advance the work so well begun x Owing to the scarcity of means, the Institution has not had those advantages accorded a college, in fact, and we found Professors abundantly capacitated for the deepest duties of their particular offices, engaged in the conduct of the Preparatory and other departments, entirely foreign to their legitimate

situations — away from situations that should not be vacated for an instant. To remedy this defect we would suggest the removal of the Preparatory grades from the advanced — formed into a separate and distinct school, to be placed under the management of Professor O. F. Russell, a gentleman of rare ability as an Educator, who, with the rank of full Professor and member of the faculty to be allowed a sufficiency of the necessary aid to assist him in performing his work. Such a step would not only be economical in fact, but eminently wise from every other standpoint of good sense and propriety. We would recommend that the time for vacation be altered and declared for the Winter season, instead of the Summer as at present exists. The reasons for this are many and obvious, leading which is the fact that a change in the hot months from the most extreme points in altitude to the various portions of the state, cannot be productive of that good health which would follow a translation at any other period of the year. We indicate for the Winter period because of its excellent fitness in this particular which must appear clear to this body. The building is yet incomplete and must receive due attention in that respect, to render the proper service, and to be freed from the encroachments of the weather, which will cause no inconsiderable damage and destruction if left to pursue its indiscriminate course. An appropriation is needed for carrying the philosophical and chemical departments to a practical standard — mere theory in studies is conducive of no possible good. The library is also deficient, and we would urge upon the people of the state to contribute with whatever pair material that they can dispense with for their direct benefit in this portion of the Institution. The agricultural department is not as it should be, for want of the appliances necessary. The grounds are used to the best advantages under the circumstances, being sown with clover, but this does not comply with the requirements of the grant, upon the part of the General Government, which stipulates for an Industrial University. In view of this, besides the means which should be afforded students in poor circumstances, and the fact that

we are largely indebted to the United States for aid to the amount of $150.000, to assist us in constructing the building, we should not loose sight of the necessity of raising this department from the mire into which it has fallen x The military arm has also gone down, and this also we are commanded to keep up by the conditions of the grant x Let a requisition be made for the appointment of a regular army officer to assume charge of this branch, that the grant may be complied with, and that the state may reap of the fruits that accrue from the education of a soldier imparted by scholarly ability, quantitatively bearing and practical experience x To support the Institution a single county, Washington, and a second class city of less than 2500 inhabitants, Fayetteville, pay annually the sum of $10.400 00, and yet County and this city are entitled to no more consideration than any other county or city in the state x In view of this amount we suggest an appropriation for less than would be demanded otherwise, by the most reasonable one, and indicate $25.000 as a fit sum to be appropriated for the coming two years x

Surely the people of the state of Arkansas are interested sufficiently in Education and its consequences to spend this comparatively small amount without a murmur and with feelings that they have made a golden investment x

John R Thornton.
A. H. Ferguson
W. R. Burke.
J. C. Walker
T. J. Dubbs x

Senator Watkins moved a call of the Senate, and the roll being called it was found that the following named members were present and answered to their names, viz =

The President, Mr. Duffie, and Senators Boyd Carlton, Crowley, Ferguson, Gatewood, Hanna, Harris, Heilo, Judkins, Mitchel, Pennington, Reid, Rutherford Stanford, Terry, Thornton, Watkins Wilson x

The following named members were absent, viz = Senators Armistead, Chism, Duncan, Gantt, Hampton, Kerr, Mulkey, Tipton, Walson, White Whittington Williams ×

And a quorum announced ×

S.C.R. No 3. Senator Conroley submitted a Concurrent Resolution, providing that the General Assembly do adjourn sine die, on the 1st of March 1879 × which was read a first time; and the Rules, on motion being suspended, a second time ×

Senator Ferry moved that it be referred to the Committee on Finance × Which was agreed to ×

Senator Hanna, for the Committee on State Lands, presented a report on Senate Bill No. 82, "an act supplemental to an act approved March 5. 1875. entitled an act to provide for refunding any monies or funds of any description, whatsoever, erroneously paid into the treasury of the State", with the recommendation that the bill do not pass × Report received ×

Senator Rutherford from the Committee on Memorials reported back Senate Joint Resolution No. 4 asking action by Congress for the opening of the Indian Territory to white settlement, and recommended that the same be adopted × Report received ×

Senator Armistead of the Select Committee on Liquor traffic and Licenses submitted a report on a number of bills petitions &c referred to them, and transmitted therewith a bill, in the nature of a substitute, with the recommendation that the substitute do pass × The bill (S. B. No. 109) entitled "an act to regulate the sale of vinous, ardent, malt and fermented liquors," was read a first time ×

But pending the reading thereof a message from the Governor was received, by James M. Pomeroy, Esq. who, being invited within the bar of the Senate, read as follows =

State of Arkansas,
Executive office
Little Rock, February 17, 1879.

To the President of the Senate.
Mr President:

The Executive Committee of the Industrial University, and the Faculty thereof, recommend unanimously, that the annual vacation be in the Winter, and not in the Summer. The youth, who come up from the South, to Fayetteville in the Fall, with Malaria in their systems, are seized with chills soon after their arrival, and so weakened by winter, as to fall ready victims to pneumonia.

In order to make the change in the vacation, it is recommended that continued instruction be given after the Commencement in June until the 20th day of December, when the new Junior Class will be graduated; the next session consisting of six months instead of nine. The annual Commencement Day, hereafter, to be on or about the 10th day of December (according to the day of the week) and the vacation to consist of three months. If your Honorable Body make this change it will save the state the expense of a meeting of the Board of Trustees. It will be seen that the change imposes upon the Faculty an extra term of teaching; and it is recommended to make a special appropriation to meet the expense of that term.

There is an almost universal desire for the enlargement of the Board of Trustees, so that the various portions of the state may be better represented. I would recommend that the number be increased to eleven.

W. R. Miller
Governor.

Senator Reid moved that the Rules be suspended and Senate Bill 109 be taken up for a second reading.

Which motion was not agreed to.

Senator Watson moved that 200 copies of the bill be ordered printed, and that it be made the special order for Thursday the 20th inst at 11 o'clock. Motion adopted.

The order being Unfinished Business, the Bill of the Senate (S.B. no. 95) entitled "an act to amend section 13 of an act entitled an act for the organization and government of Municipal Corporations, approved March 9. 1875" was called up for consideration ×

On motion it was ordered engrossed for a third reading ×

Senate Bill No. 41, an act to amend section 54 of the act for the incorporation of Municipal Corporations approved March 9. 1875, and to enlarge the jurisdiction of police courts" was taken up, and ordered engrossed for a third reading ×

S.B. 51. Senate Bill No. 51, "an act for the Relief of N. B. Pearce, was taken from the Secretary's desk ×

Senator White moved that further consideration of the bill be indefinitely postponed × which was agreed to ×

S.B. 4. Senate Bill, No. 4, "an act for the relief of L. F. Trimble" was called up, and the amendments recommended thereto by the Finance Committee read and agreed to ×

The bill was then, on motion of Senator Hanna, ordered engrossed and was made the special order for Wednesday next, the 19th inst. at 12 o'clock, 777 ×

H.B. 16. The bill of the House, (H.B. No 16) "an act to change the Boundary line between Baxter and Stone Counties was taken up ×

On motion of Senator Watkins, the same was laid on the table subject to call ×

S.B. 97. Senate Bill, 97, an act to abolish the Pulaski Chancery Court, and to confer its jurisdiction upon the Circuit Court of Pulaski County, and to abolish the office of Judge and Clerk of said Court" was taken up ×

Monday July 17, 1899

Senator Judkins moved that the majority report of the Committee on Judiciary recommending the rejection of the bill be adopted x

Senator Watson moved as a substitute for the motion, that the minority report recommending the passage of the bill be concurred in x

On this motion, Senator Watson called for the ayes and noes, which call was sustained x

And the question being:
Shall the minority report be adopted?
It was decided in the negative x

Ayes	4
Noes	20
Not Voting	7

Those who voted in the affirmative are = Senators Gatewood, Pennington, Rutherford, Watson — 4 x

Voting in the negative were = Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Garnica, Harris, Hill, Judkins, Mitchel, Reid, Stanford, Terry, Thornton, Watkins, White, Williams, Wilson, and the President — 20 x

Absent and not voting were = Senators Chism, Gantt, Hampton, Kerr, Muckey, Tipton, Whittington — 7 x

And so the motion to adopt the minority report was rejected x

S.B. 1957

The majority report was then, on motion adopted, and the bill declared rejected x

Senator Duncan moved that the Senate take a recess till 3 o'clock x which was lost x

And then, on motion of Senator Harris, the Senate at 1 o'clock and 25 minutes, p.m. the Senate adjourned until 9 o'clock and 30 minutes tomorrow morning x

Attest
Lon H. Kretschmer
Secy

M M Duffie
President of Senate x

Senate Chamber,
Tuesday, February 18. 1879.

Pursuant to adjournment the Senate met at the hour of 9 o'clock and thirty minutes a.m. and was called to order by the President.

And the roll being called it was found that the following named members were present and answered to their names viz:

The President, Mr. Duffie, and Senators Armistead, Boyd, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchell, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Williams and Wilson.

The following named members were absent: Carlton, Chism, Hampton, Jenkins, Mackey and Whittington.

And a quorum announced.

Prayer by the Chaplain.

The Journal of yesterday was read and there being no objection thereto, was approved and signed.

The President announced the receipt of a Communication from the Governor, which he handed to the Secretary, who read it as follows:

State of Arkansas,
Executive office,
Little Rock, February 17. 1879.

To the President of the Senate.
Sir:

In compliance with a Resolution of the Senate, adopted 13th inst., I herewith transmit a statement, furnished by the Secretary of Trustees of Lunatic Asylum, showing the Expenditure of $1104.16, drawn by the Trustees from the State.

Very Respectfully
W. R. Miller,
Governor.

Accompanying the communication of the Governor were the following papers which were also read =

Little Rock, Ark.
Feby. 15th, 1879.

Gov. W. R. Miller,
Sir =

In compliance with your request, I herewith transmit to you a statement in detail of moneys paid out by me, as Treasurer of the Board of Trustees of Ark. State Lunatic Asylum x I also furnish statement of rates at which scrip was sold x

Very Respectfully,
J. S. Pollock,
Secy & Treasurer
of Board of Trustees of
Ark State Lunatic Asylum x

Feby. 6. 1876 — Received from the Treasurer of the State $5.000 in State Scrip. Sold in amounts and at rates given below =

$500	@	66½	332 50	
2500	"	67	1675	
880	"	67½	594	
491	"	68	333 88	
565	"	68½	387 03	
60	"	69	41 40	
4	"	70	2 80	3366 61

Amounts Paid out as Follows =

Feby 18/76	J. H. Gibbs, stationery	5	40
21	W. S. Davis Carriage hire for Members of Legislature	12	00
26	Geo. R. Weeks for Labor	252	05
	Postage		25
Mch. 8	Geo R. Weeks for Labor	18	50
10	W. S. Davis, Carriage hire for Members of Legislature	5	00
	J. W. Faust, for labor	6	00
25	do do	4	00
April 1	do do	4	00
8	G. N. Pray Expense Recording Deed	4	00
12	J. Willis, part payment on Plans and Specification	200	00
	Carried Forward	511	20

	Amounts Paid out Brot. Frd.	511	20
April 13/76	J.W. Faust for labors	7	00
24	Butler, Gibb & Co. for Well Curb	11	50
May 3	Gazette advertising for Proposals	7	
June 1	Dr. P.O. Hooper expense of Eastern trip ordered by Board	250	
	Exchange on drafts		60
July 3	Postage on Circulars	4	86
26	Herald, for Printing Circulars letter to Sheriffs.	2	50
Oct. 9	J.W. Faust for labores	4	00
Nov. 8	do do	4	00
28	Postage & Stationery	1	50
Nov. 9/77	J. Willis final payment for Plans & Specifications	300	00
		1104	16

Recapitulation of Expenses

Postage and Stationery	12	01
Carriage Hire for members of Legislature	17	00
Clearing grounds	270	55
Digging well	29	00
Well Curb &c	16	50
Recording Deeds	4	00
Plans & Specifications for buildings	500	
Dr. Hooper's Expenses visiting Insane Hospitals by order of Board	250	
Exchange		60
Printing	9	50
	1104	16

Amount Received for Scrip	3366	61
Amounts Paid out	1104	16
Cash on Hand	2262	45

Senator White moved that the message and accompanying documents be referred to the Committee on Public Expenditures & Which was agreed to &

Under the Rule,

Senator Watson reported Senate Bill No. 83 Correctly engrossed & Report received &

S. J. R. 6. Senator Reid submitted a Resolution (S. J. R. No. 6) proposing an amendment to the Constitution of the State of Arkansas, to the effect that the V th Article of the Constitution, as it now reads shall be abolished, and that in lieu thereof shall be substituted the following section, which, upon its approval by a majority of electors voting, shall become a part of the Constitution, and known as sec. 5. of Article V of the same, viz:

Section 5. The General Assembly shall meet at the seat of Government, on the second Monday in January of the year 1881, and of every fourth year thereafter. In case of the necessity of an election for a Senator of the United States, it shall be the duty of the Governor to convoke the General Assembly for that purpose.

The Joint Resolution was read a first time, and, on motion of Senator Reid, the rules were suspended, and the Resolution read a second time.

Senator Reid moved that the Resolution be referred to the Joint Committee on Constitutional Amendments.

Which was agreed to.

Under the Rule,
Senator Wilson, Chairman of the Judiciary Committee to whom was referred

S. B. 58. Senate Bill No. 58, "an act to facilitate the business of County and township offices", reported the same back, with the opinion of the Committee that the proposed legislation is inexpedient, and recommending that it do not pass. Report Received.

Senator Wilson from the same Com-

S. B. 61. mittee reported back Senate Bill No. 61, "an act to repeal an act intitled an act to amend section 1409 of Gantt's Digest, approved Feby 3. 1875, and for other purposes", and recommended that the bill do not pass. Report received.

Senator Wilson submitted a further

S. B. 66. report on Senate bill No. 66. "An act to make persons charged with crimes, misdemeanors, and other offences,

constitute witnesses", with the recommendation that it do not pass × Report received ×

S.B. 75. Senator Wilson also presented a report from the Judiciary Committee on Senate bill No. 75, "an act to prevent the sacrifice of property by forced sales" with the recommendation that it do not pass × Report received ×

S.B. 43. Senator Wilson submitted a further report, from the Judiciary Committee, on Senate Bill No. 43, "an act to enable the County Courts of the several Counties to use certain monies that may be in the Treasuries of the respective counties", reporting the same back and transmitting a substitute therefor, with the recommendation that the substitute bill do pass × Report received ×

S.B. 15. Senator Hanna, of the Committee on Public Expenditures, to whom was referred Senate Bill No. 15, "an act to fix the per diem pay of officers and Members of the General Assembly", reported the same back, and recommended therefor, the passage of a substitute bill × Report received ×

S.B. 1. Senator Hill, Chairman of the Committee on Enrolled bills, reported back Senate Bill No. 1. as correctly enrolled × Report received ×

S.B. 71. The order being "unfinished business", Senate Bill No. 71, "an act for the relief of Alvin Eubanks and Benj. W Grambling" was ordered up for consideration, and on motion of Senator Crowley it was ordered engrossed, and made the special order for tomorrow at 11.30 o'clock a.m.

H.B. 23. The bill of the House (H.R. No. 23) entitled "an act to reduce the outstanding liabilities of the state", was taken up, read for information, and ordered to a third reading ×

S.B. 21. Senate Bill, No. 21, "an act to authorize the secretary of state to furnish volumes of the Arkansas Reports to the certain counties" was taken up, and the amendments thereto read a second time ×

Senator Terry moved that the bill be ordered engrossed for a third reading × which was agreed to ×

S.B. 59. Senator Harris moved that the rules be suspended, and that Senate Bill No. 59, "an act to donate certain lands to the Iron Mountain and Helena Railroad Company" be taken up for consideration x Which was agreed to x

And then Senator Harris sent to the Secretary's desk an amendment, which was read as follows:

"I move to amend the bill by striking out the counties of Clay and Green, and all of that portion of Craighead county situated east of Range Three (3), East of the principal Meridian".

Amendment read a first time, and, under a suspension of the rules, a second time x

Senator Harris moved that the amendment be adopted as a substitute for the amendment heretofore offered by Senator Crowley

Pending discussion on the Amendment, the hour of 11 o'clock a.m. having arrived, the President called up the Special order for that hour, being Senate bill No 3.

S.B. 3.

Senator Terry moved that the special order be postponed for 15 minutes. Agreed to x

Senator Harris offered a further amendment to Senate bill 59, which was read as follows:

S.B. 59. "I move to amend by striking out all of that part of St. Francis County situated East of Range Three (3) East of the fifth principal Meridian"

The amendment was read a first time, and, the rules being suspended, a second time x

Senator Duncan offered the following:

I move to amend the bill, so that the State Land Commissioner may sell any of the lands donated by this act, to actual settlers, the proceeds of the sale of the same shall be held be in trust for the Company, to whom said lands are donated, until the completion of said road, when the same shall be turned over to the company x

The time for which the special order had been postponed having expired the same was again called up, when.

Senator Reid moved that it be again postponed for five minutes x agreed to x

And Senator Carlton offered a substitute bill (S.B. no. 112) for Senate bill no 59 x which was read a first time, and, the rules, on motion, being suspended, a second time x

S.B. 112

The original bill and amendments, together with the substitute were then, on motion referred to the Committee on Railroads and other Improvements x

Senator Thornton asked that the Rules be suspended to permit him to introduce a bill x which was agreed to x

And then, Senate Bill 113, "an act to defray the contingent expenses of the General Assembly" was read a first time, and, under a suspension of the Rules a second time x

S. B. 113.

The bill was then, on motion of Senator Thornton, made a special order for tomorrow morning at 11 o'clock x

The postponed special order, Senate bill No. 3, "an act to fix the salaries of all state officers, and the per diem of members of the General Assembly" was ordered up x

And thereupon, Senator Judkins moved that the Senate go into the Committee of the whole on its consideration x

On this Senator Stern called for the ayes and noes, which call was sustained x

And the question being:
Shall the Senate go into Committee of the whole?

It was decided in the negative

Ayes — — — 11
Noes — — — 15
Not voting — — 6

Those who voted in the affirmative are = Senators Armistead Carlton, Crowley, Gantt Jenkins Reid, Stanford Thornton, White, Williams and the President — 11 x

Voting in the negative were = Senators Boyd, Duncan, Ferguson, Gatewood, Hanna, Harris, Hill, Kerr, Mitchel, Pennington, Rutherford, Terry, Tipton, Watkins, Watson — 15 x

Absent and not voting were = Senators Chism, Hampton, Mucky, Whittington and Wilson — 6

And so the motion was lost x

Senator Duncan moved that the bill be recommitted to the Finance Committee x

And on the motion Senator Wilson called for the Ayes and noes x Call sustained x

And the question being —
Shall the bill be recommitted to the Finance Committee?
It was decided in the affirmative x

Ayes — — — 14
Noes — — — 12
Not Voting — — 5

Those who voted in the affirmative are = Senators Armistead, Carlton, Crowley, Duncan, Gantt, Hanna, Jenkins, Pennington Reid, Terry Thornton White, Williams and the President — 14

Voting in the negative were = Senators Boyd, Ferguson, Gatewood, Harris Hill Kerr, Mitchel, Rutherford, Stanford, Tipton, Watkins, Watson — 12 x

Absent and not voting were = Senators Chism, Hampton, Mucky, Whittington, Wilson — 5 x

And so the motion to recommit was adopted x

S.B. 83 Another Special order for the hour of 11 o'clock a.m. it being Senate bill No. 83, "an act to establish separate courts of Chancery in the Counties of Phillips, Jefferson and Chicot, in the state of Arkansas" - the same was ordered up for consideration, and was read a Third time and placed upon its final passage.

And the question being=
Shall the bill pass?
It was decided in the affirmative.

Ayes --- 23
Noes --- 3
Not Voting -- 5

Those who voted in the affirmative are= Senators Armstead, Carlton, Crowley, Duncan Ferguson, Gantt, Galewood, Hanna, Harris, Hill, Kirr, Mitchil, Cummington, Reid Stanford, Terry, Thornton, Tipton, Watkins White, Williams and the President - 23

Voting in the negative were= Senators Boyd, Rutherford & Watson - 3.

Absent and not voting were= Senators Chism, Hampton, Jackins Whittington, Wilson - 5.

And so the bill passed.

The order being unfinished business,

S.B. 65. The bill of the Senate (S.B. No. 65) entitled "an act to amend Sec. 1. of an act, entitled an act for the government of County Jails & Poorhouses approved November 5, 1875", was taken up, and ordered engrossed for a Third reading.

S.B. 76. Senate Bill No. 76, "an act for the security of the funds of the state in the Treasury" was taken up.

And the question being on the adoption of the report of the Committee on Public Expenditures, recommending the rejection of the bill,

Senator Reid moved to reject the report. Which motion was agreed to.

Senator Terry moved to amend the bill by inserting, in the blank therein, the name, W. S. Brady ×

And the motion being put, and a quorum not voting, Senator Watkins moved a Call of the House ×

And the Roll being called it was found that the following named members were present and answered to their names, viz = The President, Mr. Duffie, and Senators Armistead, Boyd Crowley, Duncan, Ferguson, Gantt, Galewood, Hanna, Hill, Judkins, Mitchel, Pennington, Reid, Rutherford Stanford, Terry, Thornton, Tipton, Watkins, Watson White, Williams, Wilson

The following named members were absent, viz = Senators Carlton, Chism, Hampton, Harris Mulkey, Whittington ×

And a quorum announced ×

The amendment of Senator Terry was then put and agreed to × And then, on motion, the bill was ordered engrossed for a third reading ×

A message from the House was received, by John G. Holland, Esq. its Clerk, who, being invited within the bar of the Senate read as follows =

Hall, House of Representatives:
Feby 18. 1879.

Mr President =

H.B. 17. I am instructed by the House of Representatives to inform your Honorable body of the passage by the House, of H.B. 17 "a bill for an act to be entitled an act abolishing the Court of Common Pleas of the Counties of Conway and Jackson, and disposing of all actions and proceedings pending therein," and herewith respectfully transmit the same for your favorable consideration ×

John G. Holland, Clerk ×

S.B. 108. } The bill of the Senate, S.B. No. 108, a substitute
for H.B. 92. } for Senate bill 92, entitled "an act to aid in the preservation of Deer" was ordered up for consideration, and read a first time ×

Senator Galwood moved to strike out in the 1st. section, the word "January," and insert, in lieu thereof, the word "February" × Amendment read a first time, and under a suspension of the rules a second time ×

Senator Crowley moved to strike out the words "wild turkeys", wherever they occur in the bill × Amendment read a first time, and, the rules being suspended, a second time × It was then, on motion, adopted ×

Senator Reid moved to insert the word "partridge" after the words "Prairie Chicken" wherever they occur in the bill ×

And, pending consideration of said amendment, Senator Mitchel moved that the substitute bill as amended be rejected × which motion was agreed to ×

And then, Senator Reid moved that the original bill be read a third time and placed upon its final passage × which was agreed to ×

But some Senators having expressed the desire to amend the bill ere final action was had thereon,

Senator Terry moved that the vote by which the bill was placed upon its third reading be reconsidered × Motion lost ×

The bill was then read a third time and placed upon its final passage ×

And the question being=
Shall the bill pass?
It was decided in the negative ×

Ayes — — —	9
Noes — — —	17
Not Voting — —	5

Those who voted in the affirmative are= Senators Armistead, Duncan Ferguson Gatewood, Mitchel, Reid, Terry, Thornton, White — 9 ×

Voting in the negative were: Senators Boyd, Carlin, Crowley, Gantt, Hanna, Harris, Hill, Jenkins, Kerr, Pennington, Rathford, Stanford, Tipton, Watkins, Williams, Wilson and the President — 17 x

Absent and not voting were: Senators Chism, Hampton, Mulkey, Watson, Whittington — 5 x

And so the bill failed to pass x

Upon the announcement of the vote by the President, Senator Boyd gave notice that he would move a reconsideration of the same tomorrow x

S. B. 103. Senate Bill No. 103, entitled "an act to legalize and confirm the assessment levy and collection of the taxes of Logan County for the year 1894, was taken up, and, on motion, made the special order for Thursday next the 20th. inst. at 12 o'clock M.

S. J. R. 4. The Joint Resolution of the Senate, (S. J. R. No. 4) "requesting action by Congress for the opening of the Indian Territory to white settlement" was taken up and ordered to a third reading x.

S. B. 82 Senate Bill No. 82, an act supplemental to an act, approved March 5, 1895, entitled an act to provide for refunding any moneys or funds of any description, whatsoever, erroneously paid into the Treasury of the state" was taken up and ordered read for information x

Senator White moved that the bill together with the report of the Committee on State Lands, recommending its rejection be laid upon the table x which was agreed to x

Under the Rule,

S. B. 114. Senator Terry introduced a bill, (S. B. No. 114) entitled "an act for the management and disposition of persons convicted of misdemeanors, and committed to the County Jail" x Read a first time x

S. B. 115 Senator Crowley introduced a bill, (S. B. No. 115) entitled "an act in regard to the School Fund of Craighead County x Read a first time, and, the Rules being suspended, a second time x

The bill was then, on motion of Senator Crowley, referred to the Committee on Auditor's and Treasurer's Accounts ×

S.B. 116. Senator White introduced a bill (S. B. No. 116) entitled "an act to repeal sections 1 and 2 of an act approved March 9th. 1877, entitled an act to amend sections 135, 136 and 138 of Millers Digest of the Revenue Laws of the state of Arkansas, and to amend sections 5785 and 5786 of Gantt's Digest" × Read a first time and the Rules, on motion, being suspended, a ~~first~~ time × It was then on motion of Senator White referred to the Committee on County Expenditures ×

S.B. 117. Senator Duncan introduced a bill (S. B. No. 117) entitled "An act to amend section 3730 and 3811 of Gantt's Digest, to regulate the service in actions of replevin and attachments in Justices' Courts" × Read a first time and, under a suspension of the Rules, a second time × The bill was then, on motion of Senator Duncan referred to the Committee on Judiciary ×

S.B. 118 Senator White introduced a bill (S. B. No. 118) entitled "An act to make provision for the care of the Military property of the State" × Read a first time and, the Rules being suspended, a second time × Senator White moved that the bill be referred to the Committee on Militia which was agreed to ×

S.B. 119 Senator Wilson introduced a bill (S. B. No. 119) entitled "An act to extend the time in which to present county warrants for issue in certain cases" × Read twice under a suspension of the Rules, and, on motion of Senator Wilson referred to the Committee on Claims ×

S.B. 120. Senator Boyd introduced a bill (S. B. No. 120) entitled "An act to extend the time for the collection of taxes for the year 1878, until the first monday in august, 1879 × Read a first time ×

Sen Watkins moved that the Senate do adjourn × which was not agreed to ×
Senator Pace moved that the Senate take a recess till 3 o'clock p.m. And the motion being agreed to, the Senate at 12 o'clock and 40 minutes took a recess ×

After Recess.

The hour of 3 o'clock p.m. having arrived, the President took his chair, and called the Senate to order.

And the roll being called it appeared that the following named Senators were present and answered to their names, viz:

The President, Mr. Duffie, and Senators Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchell, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Williams and Wilson.

The following named Senators were absent, viz: Senators Armistead, Chism, Hampton, Judkins, Mulky, Whittington.

And a Quorum announced.

S.B. 120. Senator Boyd moved that Senate Bill No. 120, which had been read a first time before recess be taken up for a second reading, and thereon moved a suspension of the rules. The motion being agreed to the bill was read a second time, and, on motion of Senator referred to the Finance Committee.

And the order still being "Introduction of Bills" the following were sent to the Secretary's desk:

S.B. 121 By Senator Gatewood: A bill (S.B. No. 121) entitled "an act to regulate the Prosecution and allowance of Claims against Counties" which was read a first time.

Pending a motion to suspend the rules and order it to a second reading,

A message from the Governor was received, by James M. Pomeroy, Esq., who, being invited within the bar of the Senate, read as follows:

State of Arkansas,
Executive Office,
Little Rock, Feb. 18, 1879.

To the President of the Senate.

Mr President: I have this

S.J.M. 1. day approved and signed, S.J. No. 1. To the Senate and House of Representatives of the Congress of the United States, asking an appropriation of Twenty Thousand dollars, to be expended in the protection of the city of Pine Bluff, from encroachment of the Arkansas River, upon the bank of said river, at that point.

W. R. Miller,
Governor.

The rules being, on motion, suspended, Senate Bill No. 121, was again taken up and read a second time. And on motion of Senator Gatewood, it was referred to the Judiciary Committee.

S.B. 121.

By Senator Gantt: A bill (S.B. No. 122) entitled "An act to provide for the punishment for the unlawful occupation of the house of another". Read a first time, and the Rules being suspended, a second time. It was then, on motion of Senator Gatewood referred to the Committee on Judiciary.

S.B. 122

By Senator Duncan: a bill (S.B. No 123) entitled "An act authorizing Railroad Corporations to construct bridges for highway travel as well as for Railroad purposes, and to collect toll for such use". Read a first time, and, under a suspension of the rules, a second time. And then, on motion of Senator Duncan, the bill was referred to the Committee on Railroads.

S.B. 123

By Senator Carlton: a bill (S.B. No. 124) entitled "An act to provide for the Examination of claims against the State of Arkansas". Read a first time and the rules, on motion, being suspended, a second time. On motion of Senator Carlton the bill was referred to the Committee on Judiciary.

S.B. 124.

By Senator Watson: A bill, (S.B. No. 125) entitled "An act to authorize the County Court of Benton County, or the Judge thereof, in vacation, to sell or barter the interest-bearing State Scrip in the Treasury of said County, for the interest bearing warrants of said County, and for other purposes. Read a first time and, under a suspension

S.B. 125

of the Rules, a second time × The bill was then, on motion of Senator Watson, referred to the Committee on County and County Lines ×

Accompanying the bill was proof of publication of a notice of the intention to apply therefor, and in the manner provided by law, which was read ×

SB. 126. By Senator Hanna: A bill (S.B.770.126) entitled "an act to amend the 6th. subdivision of section 5035, Chapter 115 of the Revised Statutes of Arkansas" × Read a first time, and, the Rules being suspended, a second time × It was then on motion of Senator Hanna, referred to the Judiciary Committee ×

SB 127 By Senator Terry: A bill (S.B.770.127) entitled "an act regulating the payment of notes, checks and Bills of Exchange" × Read a first time, and, under a suspension of the rules, a second time × The bill was then, on motion of Senator Terry referred to the Committee on Judiciary ×

SB 128. By Senator Galewood: A bill (S.B.770.128) entitled "an act to amend section 3610 of Gantts Digest of Arkansas" × Read a first time and the rules being suspended, a second time × On motion of Senator Galewood the bill was referred to the Judiciary Committee ×

SB 129. By Senator Galewood: A bill (S.B.770.129) entitled "an act to amend section 399 of Gantts Digest" × Read a first time and the Rules being suspended a second time × Referred, on motion, to the Judiciary Committee ×

SB 130. By Senator Judkins: A bill (S.B.770.130) entitled "an act to prescribe the manner in which Circuit Courts may decree the adoption of children, and change the name of the same" × Read a first time, and, the Rules being suspended, a second × The bill was then, on motion of Senator Judkins referred to the Committee on Judiciary

Hon. H. C. Caldwell, Judge of the United States District Court, appearing in the Senate chamber, he was, on motion of Senator White, invited to a seat within the bar ×

SB 131. By Senator Terry = A bill (S.B. No. 131.) entitled "An act to impower and authorize municipal corporations to tax or license commercial travelers and non-resident persons, firms or corporations" × Read a first time, and, the Rules being suspended, a second time × It was then on motion referred to the Judiciary Committee ×

SB 132 By Senator Gatewood = A bill (S.B. No. 132) entitled "An act to regulate the practice in suits for injunction, and for the appointment of receivers" × Read a first and second time and referred to the Judiciary Committee ×

Senator White moved that the Rules be suspended in order that he might call up the Bill of the House, (H.B. No 3) entitled "an act to amend an act providing a General Election Law, approved January 23rd. 1875-" × which was agreed to × The bill was then read a second time ×

H.B. 3.

And the bill being called from its place on the calendar, Senator White moved that it be indefinitely postponed ×

On this motion Senator Watson called for the ayes and noes, and the call sustained ×

And the question being =
Shall the consideration of the bill be postponed indefinitely?
It was decided in the negative

Ayes — — —	13
Noes — — —	13
Not Voting — —	5

Those who voted in the affirmative are = Senators Armistead, Carter, Ferguson, Gantt, Harris, Judkins, Mitchel, Reid, Terry, Thornton, White, Wilson and the President — 13 ×

Voting in the negative were = Senators Boyd, Crowley, Duncan, Gatewood, Hanna Hill, Kerr, Pennington, Rutherford, Stanford, Tipton Watkins, Watson — 13 x

Absent and not voting were = Senators Chism, Hampton, Mulky, Whittington and Williams — 5 x

And so the motion did not prevail x

Senator White sent an amendment to the bill to the Secretary's desk, which was read as follows =

H.B. 3. Mr x President = I move to amend Section One of House Bill No. 3. by striking out the words "Eighteen hundred and eighty," and the figures "1880", in the sixth line, and inserting in lieu thereof the words "Eighteen hundred and eighty-two" x

Senator Kerr moved that the bill and amendment be referred to the Committee on Elections x

Senator Reid moved as a substitute that they be referred to the Committee on Franchise x Which motion was lost x

The motion to refer to the Committee on Elections was then put and carried x

Under the Rule

S.B. 133. Senator Carlton introduced a bill, (S.B. No. 133) entitled "an act to provide for appeals from the final orders and judgments of the Mayors of Cities of the Second Class" x Read a first time, and the rules being suspended, a second time x The bill was then, on motion of Senator Carlton referred to the Judiciary Committee x

S.J.R. 4. Senator Duncan moved that the Rules be suspended and that Senate Joint Resolution No. 4, requesting "action by Congress for the opening of the Indian Territory to white settlement" be taken up for consideration x which was agreed to x

The Resolution was then read a third time and placed upon its final passage x

And the question being:
Shall the Joint Resolution be adopted?
It was decided in the negative.

Ayes	9
Noes	16
Not Voting	6

Those who voted in the affirmative are: Senators Boyd, Carlton, Duncan, Hanna, Kerr, Rutherford, Stanford, Tipton, Watson — 9.

Voting in the negative were: Senators Armistead, Crowley, Ferguson, Gantt, Gatewood, Harris, Hill, Jenkins, Mitchel, Pennington, Reid, Terry, Thornton, Watkins, White and the President — 16.

Absent and not voting were: Senators Chrisman, Hampton, Muckey, Whittington, Williams, Wilson — 6.

And so the Joint Resolution was rejected.

And then, on motion, at 5 o'clock and 25 minutes, p.m. the Senate adjourned until 9 o'clock and 30 minutes tomorrow morning.

M. M. Duffie
President of Senate.

Attest
Lou L. Kretschmar
Secy.

Senate Chamber,
Wednesday, February 19. 1879.

The hour of 9 o'clock and 30 minutes having arrived, the President called the Senate to order × Prayer by Rev. W. B. Flippin ×

And the roll being called it appeared that the following named members were present and answered to their names, viz:

The President Mr Duffie, and Senators Armistead Boyd, Carlton Chism, Crowley, Duncan Ferguson, Garitt, Gatewood, Hamer, Harris, Heill, Judkins, Kerr, Mitchel, Mulkey, Pennington, Reid, Rutherford Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington Williams and Wilson ×.

Absent was Senator Hampton ×

And a Quorum announced ×

The Journal of yesterday was read, and there being no objection thereto, it was approved and signed ×

Under the Rule,

Senator Terry from the Committee on Engrossed bills reported back Senate Bill No 4, as correctly Engrossed ×

Senator Watson Chairman of the Committee on Engrossed Bills reported back as correctly engrossed Senate Bills Nos. 87, 41, 95, 86 and 71 ×

S. B.s 87 41 95 86 & 71.

Senator Tipton from the same Committee reported back Senate Bill no. 25, as correctly engrossed ×

Senator Tipton, Chairman of the Committee on Education to whom was referred Senate Bill No 20, "An act to amend section 56 of an act to maintain a system of Free Common Schools for the state of Arkansas" reported the same back with the recommendation that the bill do not pass × Report read & received

S. B. 20.

Senator Crowley sent to the Secretary's desk the following report which was read =

Mr. President =

A minority of your Committee on the Judiciary, to whom was referred Senate Bill No. 66, "An act to make persons charged with crimes, Misdemanors, or other offences, Competent Witnesses, have had the same under Consideration, and ask to make a minority report recommending that the bill do pass.

W. H. Crowley.
J. R. Thornton
J. P. Judkins

Under the Rule
Senator Hanna introduced a
S. B. 134 bill (S. B. No. 134) entitled "An act to amend an act entitled an act to provide for filling vacancies in the office of Constable, approved Dec. 19. 1874 × Read a first time ×

A message from the House was received, by John G. Holland, its Clerk, who, being invited within the bar of the Senate, read as follows =

Hall House of Representatives,
February 19. 1878 ×

Mr. President =

I am instructed by the House
of Representatives to inform your Honorable body
H. B. 207. of the passage by the House of H. B. 207, a bill for "an act to prohibit the sale or giving away of ardent spirits within three miles of the Evening Shade College" ×

H. B. 283. Also, H. B. 283, a bill to be entitled an act to amend an act, entitled an act for the benefit of the Pleasant Ridge academy in Bradley County, approved January 10th 1861," and herewith respectfully transmit the same for your favorable consideration ×

I am further instructed to
inform of the passage by the House of S. B. 14
S. B. 14 "An act to reduce the salary of the Judge of the Court of Common Pleas of Prairie County" and herewith respectfully return the same ×

John G. Holland, Clerk ×

S.B. 135

Senator Williams introduced a bill (S. B. no. 135) entitled "An act to render effectual the provision of the Constitution against usurious contracts" x Read a first time, and the Rules being suspended a second time

Senator Gatewood moved that the bill be referred to the Judiciary Committee x which was agreed to x

H.B. 207

Senator Judkins moved that the Rules be suspended, and that House Bill No. 207, "An act to prohibit the sale or giving away of ardent spirits within three miles of the Evening Shade College", be taken up for consideration x

The motion was adopted and the bill read a first time and the rules being suspended, a second time x

It was then, on motion of Senator Judkins, made the special order for tomorrow at 10 o'clock and 40 minutes x

Senator Tipton moved that the Rules be suspended, to permit him to submit a report x

And the motion being agreed to Senator Tipton sent to the Secretary's desk the following which was read:

Mr. President:

The Joint Committee on Education to whom was referred the report of the Chairman of the Trustees of the A. I. University, beg leave to make the following report:

We have had the same under consideration, and I am instructed by the majority of the Committee to report the same with the recommendation that the Committee on Finance be instructed to adopt the appropriations suggested by said Board of Trustees for payment of expenses of said University for the next two years x

Senator White moved that the report be referred to the Committee on Finance x which was agreed to x

The order being, Bills on Second Reading.

S.B. 97 The bill of the Senate (S.B. No. 97) "an act for the relief of James A. Henry late Treasurer of Pulaski County, and the securities on his bond as said Treasurer" was taken up, read a second time, and, on motion of Senator Terry referred to the Committee on County Expenditures ×

S.B. 104. Senate Bill no. 104 "an act to restore to Perry County Territory improperly detached therefrom and attached to Conway County, under an act entitled an act to create the County of Faulkner, and for other purposes, approved April 11th. 1873, was read a second time ×

Senator Terry moved that it be referred to the Committee on Judiciary × which was agreed to ×

S.B. 106. Senate Bill no 106, entitled "an act to amend section 3605 of Gantt's Digest" was read a second time ×

S.B. 92 Senator Boyd, in accordance with notice given yesterday, moved to reconsider the vote by which Senate bill No. 92 entitled "an act to aid in the preservation of Birds, bird's-eggs and deer" was rejected ×

The motion was adopted, and the bill being again before the Senate,

Senator Reid moved that it be recommitted to the Committee on Agriculture × which was agreed to ×

S.B. 114 Senate Bill no 114. entitled "an act for the management and disposition of persons convicted of Misdemeanors and committed to the County Jail" was read a second time ×

Senator Terry moved that it be committed to the Judiciary Committee × which was agreed to ×

S.B. 107

Senate Bill no. 107, entitled "an act to amend the law in relation to the practice upon trials at law in Civil Causes" was read a second time ×

Sen Gatewood moved that the bill be referred to the Judiciary Committee × which was agreed to ×

S. B. 47.

Senator Ferguson moved that the Rules be suspended, and that Senate Bill no. 47, be taken up for a third reading × Motion agreed to ×

And then the Bill, being "an act to abolish the office of Adjutant General, and for other purposes", was read a third time, and placed upon its final passage ×

And the Question being:
Shall the Bill pass?
It was decided in the affirmative ×

Ayes — — — 20
Noes — — — 7
not Voting — — 4

Those who voted in the affirmative are: Senators Boyd, Ferguson, Gantt, Gatewood, Hanna, Hill, Mucky, Mitchel, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, White, Whittington Williams Wilson and the President — 20 ×

Voting in the negative were: Senators Armistead, Carlton, Chism, Crowley, Duncan, Harris, Judkins — 7 ×

Absent and not Voting were: Senators, Hampton, Kerr, Pennington, Watson — 4 ×

And so the bill passed ×

On the announcement of the vote Senator White gave notice that he would move a reconsideration of the same tomorrow ×

And the order of business being Bills on Third Reading,

Senate Bill No. 30 entitled "an act to authorize the Treasurer to issue Certificates of indebtedness in certain cases, and for other purposes," was taken up and read a third time.

And the question being=
Shall the bill pass?
It was decided in the affirmative.

Ayes ---	15
Noes ---	13
Not Voting --	3

Those who voted in the affirmative are= Senators Boyd, Crowley, Gatewood, Hanna, Harris, Hill, Judkins, Mitchel, Muckey, Stanford, Terry, Whittington, Williams, Wilson and the President — 15.

Voting in the negative were= Senators Armstead, Carlton, Chism, Duncan, Ferguson, Gantt, Reid, Rutherford, Thornton, Tipton, Watkins, Watson, White — 13.

Absent and not voting were= Senators Hampton, Kerr, Pennington — 3

And so the bill passed.

A message from the House, by John G. Holland, Esq. its Clerk, was received, and the messenger being invited within the bar of the senate appeared and read as follows=

Hall, House of Representatives,
February 19, 1879.

Mr President=

I am instructed by the House of Representatives to inform your Honorable body, of the passage by the House of H.B. No 60, "a bill for an act entitled an act to repeal sections 937, 938, 939, 944, 945, 946, 947, 948, 949 and 4516 of Gantt's Digest, and for other purposes."

H.B. 60.

Also, H.B. No 190, a bill for "an act to be entitled an act to amend sections one and two of an act entitled an act to prohibit the sale of wines or alcoholic liquors within a distance of three miles of the town of El Dorado,

H.B. 190.

in the County of Union, approved March 6. 1899 x and herewith respectfully transmit the same for your favorable consideration

John G. Holland, Clerk x

The hour of 11 o'clock a.m. having arrived, the special order for that hour, Senate Bill No. 113, entitled "an act to defray the contingent expenses of the General Assembly" was ordered up

S.B. 113.

It was then read a third time and placed upon its final passage x

And the question being=
Shall the Bill pass?
It was decided in the affirmative x

Ayes	27
Noes	3
Not Voting	1

Those who voted in the affirmative are= Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hearne, Harris, Hill, Kerr, Mulkey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Williams, Wilson and the President — 27 x

Voting in the negative were= Senators Gatewood, Jenkins, Mitchell — 3

Absent and not voting= Senator Hampton x

And so the Bill passed x

S.B. #37.

Senate Bill No. 37, entitled "an act for the government of County Courts in making appropriations for County purposes" was taken up, read a third time and placed upon its final passage x

And the question being=
Shall the Bill pass?
It was decided in the affirmative x

Ayes	22
Noes	7
Not Voting	2

Voting in the affirmative were = Senators Boyd, Chism, Duncan, Gantt, Gatewood, Harma, Harris, Hill, Kerr, Mitchel, Muckey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, White, Whittington, Williams — 22.

Voting in the negative were = Senators Armistead, Crowley, Ferguson, Jenkins, Walson, Wilson and the President — 7.

Absent and not voting were = Senators Carlton and Hampton — 2.

And so the bill passed.

On motion of Senator White the courtesies of the floor were extended to Maj. Davis of Jefferson County.

S.B. 56 Senate Bill No. 56, "a substitute for Senate bill No. 28 was taken up for a third reading.

Senator White moved that the bill be recommitted to the Judiciary Committee. Which was lost.

Senator White then moved that it be made the special order for Friday next, the 21st inst. at 11 o'clock a.m. which motion was agreed to.

S.B. 53 The bill of the Senate, (S.B. No 53) entitled "An act to amend section 1936 of Gantt's Digest", was taken up, read a third time, and placed upon its final passage.

And the question being = Shall the Bill pass? It was decided in the affirmative.

Ayes ---	29
Noes ---	0
Not Voting --	2

Those who voted in the affirmative are = Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Halliwood, Hamm, Harris, Hill, Judkins, Kirr, Mitchel, Muckey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, Watkins, White, Whittington, Williams, Wilson, and the President — 29 x

None voted in the negative x

Absent and not voting were = Senators Chism, Hampton — 2 x

And so the bill passed x

Senator Reid moved that the Rules be suspended, and that Senate bill No. 25, "an act to donate to the respective counties in which the same are situate, all bonds forfeited to the State for the non-payment of taxes," be taken up for a third reading x Agreed to x

But, pending the reading of the bill, and the hour of 11½ o'clock a.m. having arrived the special order for that hour, Senate Bill No. 71 was ordered up x

Senator Reid moved that the special order be postponed for 5 minutes x

And the motion being agreed to, the reading of Senate Bill No 25, was resumed and concluded x

Senator Harris moved that the bill be laid upon the table x

Senator Kirr moved that its further consideration be postponed indefinitely x

The five minutes for which the special order had been postponed having elapsed the same was again called up x

Senator Reid moved that it be still further postponed for five minutes x which was not agreed to x

And then the special order, Senate Bill No. 71, "An act for the relief of Alvin Eubanks and Benj. W. Grambling" was taken up and read a third time ×

S B 71.

After some discussion relating to the Bill, Senator White moved to recommit it to the Judiciary committee × which was agreed to ×

The hour of 12 o'clock, M. having arrived, the special order for that hour was called up, it being Senate bill No. 4, "An act for the relief of J. F. Trumpler"

S B. 4.

Senator Ferguson called to the chair ×

Senator Boyd sent to the Secretary's desk proof of publication of the notice of the intention to apply therefor, and in the manner provided by law, × which was read ×

The bill was then read a third time and placed upon its final passage ×

And the question being:
Shall the bill pass?
It was decided in the affirmative ×

Ayes — — —	19
Nays — — —	8
Not Voting — —	4

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Hanna, Harris, Judkins, Kerr, Mitchell, Muckey, Reid, Rutherford, Terry, Tipton, White, Wilson, and the President — 19 ×

Those who voted in the negative are: Senators Ferguson, Gatewood, Hill, Pennington, Thornton, Watkins, Watson, Williams — 8 ×

Absent and not voting were: Senators Gantt, Hampton, Stanford, Whittington — 4 ×

And so the Bill passed ×

Senator Tipton moved that the Senate take a recess until half past two o'clock, which was lost.

S.B. 62 Senate Bill No. 62, "an act to amend Section 4288 of Gantt's Digest" was taken up, read a third time and placed upon its final passage

And the question being =
Shall the bill pass?
It was decided in the affirmative.

Ayes	22
Noes	4
Not Voting	5

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Hanna, Kerr, Mitchell, Muckey, Reid, Stanford, Terry, Thornton, Watson, Watkins, White, Whittington, Williams, Wilson and the President — 22.

Voting in the negative were = Senators Brown, Harris, Pickrington, Tipton — 4.

Absent = Senators Galewood, Hampton, Hill, Jackins — 4

By consent Senator Rutherford, whose name was called was excused from voting.

And so the bill passed.

S.B. 72 The bill of the Senate (S.B. No. 74) entitled "an act to amend Section 2991 of Gantt's Digest" was ordered up, read a third time and placed upon its final passage.

And the question being =
Shall the Bill pass?
It was decided in the affirmative

Ayes	22
Noes	7
Not Voting	2

Those who voted in the affirmative are: Senators Boyd, Duncan, Gantt, Gatewood, Hanna, Hill, Kerr, Mitchel, Muckey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Wilson and the President — 22 x

Voting in the negative were: Senators Armistead, Chism, Crowley, Ferguson, Harris, Judkins, Williams — 7 x

Absent and not voting: Senators Carlton, Hampton — 2

And so the Bill passed x

H.B. 60. By consent, and on motion of Senator Mitchel, House Bill No. 60, entitled "An act to repeal sections 937, 938, 939, 944, 945, 946, 947, 948, 949 and 4516, of Gantt's Digest and for other purposes", was read a second time x

Senator Mitchel moved that it be made the special order for tomorrow at 11 o'clock a.m. which was agreed to x

S.B. 99. Sub. for S.B. 48. Senate Bill No. 99, a substitute for Senate bill No. 48, entitled "An act to provide for the improvement of the streets, alleys, sidewalks and public grounds of municipal corporations" was read a third time and passed x

And the question being:
Shall the Bill pass?
It was decided in the affirmative

Ayes — — —	25
Noes — — —	3
Not Voting — —	3

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Chism, Duncan, Ferguson, Gantt, Hanna, Harris, Hill, Judkins, Mitchel, Muckey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Watkins, White, Whittington, Williams, Wilson and the President — 25 x

Voting in the negative were: Senators Gatewood, Kerr and Watson — 3 x

Senator Crowley was, on request, excused from voting x

And so the Bill passed x

Senator Kirr, by Consent, presented a statement of the auditor of state, showing the expenses paid under the present administration in the way of interest on Bonds, special appropriations, and the amount paid out of the second loan to pay deficits on first loan under Governor Garland's administration

On motion of Senator Kirr the statement was referred, without reading, to the Finance Committee, and 200 copies of the same ordered to be printed for the use of the General Assembly x

S.B. 105

Under the Rule,
Senate Bill no. 105, an act for regulating the fees for issuing county scrip" was taken up read a third time and placed upon its final passage x

And the question being:
Shall the bill pass?
It was decided in the affirmative x

Ayes	27
Noes	1
Not Voting	3

Those who voted in the affirmative are: Senators Armistead Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Galewood, Hamm Harris Hill, Kirr, Mitchel Mucky, Pennington Reid, Rutherford Stanford, Terry, Thurston, Watkins Watson white Whittington, Williams and the President — 27 x

Senator Jenkins voted in the negative x-1

Absent and not voting were Senators Hampton, Tipton, Wilson — 3 x

And so the Bill passed x

S.B 101.

Senate Bill No. 101, a substitute for Senate Bill No. 7 was called up, read a third time and placed upon its final passage x

And the question being=
Shall the bill pass?
It was decided in the affirmative

Ayes — — —	23
Noes — — —	6
Not Voting — —	2

Those who voted in the affirmative are= Senators Armistead Boyd, Chism, Crowley, Duncan, Gantt, Gatewood, Hamma Kerr, Mulky, Pennington, Reid Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Williams and the President — 23×

Voting in the negative were= Senators Carlton, Ferguson, Harris, Hill, Judkins, Mitchel — 6×

Absent and not voting were= Senators Hampton and Wilson — 2×

And so the bill passed×

H. B 23. The bill of the House (H.B. No. 23) "an act to reduce the outstanding liabilities of the state" was taken up, read a third time, and placed upon its final passage×

And the question being=
Shall the bill pass?
It was decided in the affirmative×

Ayes — — —	24
Noes — — —	6
Not Voting — —	1

Those who voted in the affirmative are= Senators Boyd, Carlton, Crowley, Ferguson, Gantt, Hamma, Harris, Hill, Judkins, Kerr, Mitchel Mulky Pennington, Reid Rutherford, Stanford, Terry, Thornton Tipton Watkins, Watson, White Williams and Wilson — 24

Voting in the negative were= Senators Armistead Chism, Duncan, Gatewood, Whittington and the President — 6

Absent & not voting= Senator Hampton — 1

And so the bill passed×

Senator Morgan gave notice that he would move a reconsideration of the vote by which

H.B. 23. House Bill No. 23 was passed ×

Senator Carlton sent to the Secretary's desk the report of the Executive Committee of the Arkansas Industrial University, asking that it be referred without reading ×

On motion it was referred to the Committee on Finance ×

By Consent,
Senator White introduced a bill

S.B. 136. (S.B. No. 136) entitled "an act to cheapen the Collection of the State County and Municipal Revenue" × which was read a first time × and then, on motion of Senator White, referred to the Select Committee on County Expenditures ×

And at 1 o'clock and 10 minutes p.m. on motion of Senator Thornton, the Senate adjourned until 10 o'clock tomorrow morning ×

M M Duffie
President of Senate ×

Attest
Geo W Kretschman
Secy

Senate Chamber,
Thursday, February 20. 1879

The hour of ten o'clock a.m. having arrived the President called the Senate to order.

And the roll being called it was found that the following named members were present and answered to their names: The President, Mr. Duffie, and Senators Armistead Boyd Carlton Chism, Crowley, Duncan, Ferguson Gantt Gatewood, Hanna, Harris Hill Judkins Kerr, Mitchel, Mulkey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins Watson, White Whittington, Williams and Wilson

Absent Senator Hampton.

And a quorum announced.

Prayer by

The Journal of yesterday was read, and there being no objection thereto, it was approved and signed.

S.B. 65 & 76. Senator Watson, chairman of the Committee on Engrossed bills reported back as correctly engrossed Senate bills Nos. 65 and 76.

H. B. 23. Senator Kerr arose to a question of privilege and stated that after deliberation he did not intend to move the reconsideration of the vote by which House bill 23 was passed, notice of which he had given yesterday.

Under the Rule

Senator Terry presented a petition from citizens and residents of Array Township, Pulaski County praying for the passage of a law prohibiting the sale of any kind of ardent or vinous liquors in said Township. Petition Read

Under the Rule

H B 33 Senator Tipton submitted a report of the Committee on Education, on House Bill No. 33. but afterwards, by Consent withdrew the same from the Secretary's desk

Senator Pennington, Chairman of the Committee on County and County lines, reported back, with the recommendation that it do pass, Senate bill No. 125, "An act to authorize the County Court of Benton County, or the Judge thereof, in vacation, to sell or barter the interest bearing State scrip in the Treasury of said county, for the interest bearing county warrants of said County, and for other purposes" Report received ×

S. B. 125

And then, Senator Watson moved that the bill be ordered Engrossed and made the special order for tomorrow at 10,30 o'clock × Which was agreed to ×

Senator Armistead, Chairman of the Committee on Memorials reported back House Joint Memorial No. 2. praying that Congress appoint a commission to inquire into the intellectual status of the colored people of the Southern States, and commended the same to the favorable action of the Senate × Report received ×

H J M. 2

Senator Kerr moved that the Rules be suspended, and the Memorial read a third time and placed upon its final passage × which was agreed to ×

And the question being:
Shall the bill pass?
It was decided in the affirmative

Ayes — — —	23
Noes — — —	4
Not Voting — —	4

Those voting in the affirmative are Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill Judkins, Kerr, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, [illegible], White, Whittington — 23 ×

Voting in the negative were: Senators Watson, Williams, Wilson, and the President — 4

Absent and not voting were: Senators Hampton, Mitchel, Muckey, Watkins — 4 ×

And so the Memorial passed.

S.B. 137.

Senator White from the Committee on Militia, forwarded to the secretary's desk a report on Senate Bill, 137, (a substitute for Senate Bill 72) entitled "an act to provide for the payment of claims adjudged and allowed against the State of Arkansas, by the Commission of claims, under the provisions of an act of the General assembly of the State of Arkansas approved March 28th. 1891", and moved that 200 copies of the report and of said bill no. 137 be ordered printed.

The motion was agreed to, and the printing ordered.

H.B. 207.

The hour of 11 o'clock and 40 minutes having arrived, the special order for that hour, House bill No. 207, "an act to prohibit the sale or giving away of ardent spirits within three miles of the Evening shade ~~School~~ College" was taken up, read a third time, and placed upon its final passage.

And the question being:
Shall the bill pass?
It was decided in the affirmative.

Ayes	25
Noes	3
Not Voting	3

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Hiatt, Halewood, Hanna, Hill, Judkins, Kerr, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watkins, Watson, White, Whittington, Williams, Wilson and the President — 25.

Voting in the negative were Senators Crowley, Ferguson, Harris — 3.

Absent and not voting Senators Hampton, Mitchell, Milling — 3.

And so the bill passed.

Senator White moved that the Rules be suspended, and that Senate Bill no. 137, be taken up and read × agreed to × and the bill was read a first time ×

Senator Watkins moved that the bill be rejected ×

Pending discussion on the motion, the special order for 11 o'clock, House bill No. 60,
H.B. 60. an act to repeal sections 937, 938, 939, 944, 945, 946, 947, 948, 949 and 4516 of Gantt's Digest, and for other purposes" was ordered up, read a third time ×

Senator Carlton moved that the bill be recommitted to the committee on Judiciary Not agreed to ×

The bill was then placed on its final passage ×

And the question being:
Shall the bill pass?
It was decided in the affirmative ×

Ayes ---	23
Noes ---	7
Not Voting --	1

Those who voted in the affirmative are: Senators Armistead, Carlton, Crowley, Duncan, Ferguson, Gantt, Harris, Hill, Judkins, Kerr, Mitchell, Mullkey, Pennington, Reid, ——, Stanford ——, Thornton, Wilson, Watkins, Watson, White, Whittington, Williams and the President — 23 ×

Voting in the negative were: Senators Boyd, Chism, Gatewood, Hanna, Rutherford, Terry, Tipton — 7

Absent and not voting: Senator Hampton.

And so the bill passed ×

Senator White moved to reconsider the vote by which the bill was passed, and that said motion be laid upon the table × Which was agreed to ×

In accordance with notice given yesterday Senator White sent to the Secretary's desk the following which was read =

Mr. President =

In pursuance of notice given on the 19th. I move to reconsider the vote taken on yesterday by which the Senate passed Senate Bill No. 47, I having voted in the affirmative on said question.

Action on the motion was post-poned, and the special order for 11.30, Senate
S. B. 109. Bill No 109, entitled "an act to regulate the sale of vinous, ardent, malt- and fermented liquors" was taken up and read a second time x

It was then, on motion, made the special order for tomorrow at 11 o'clock, a.m.

On motion of Senator Mitchell Col E. L. Dudley was invited to a seat within the bar of the Senate

Under the Rule,
Senator Hill, chairman of the Committee on Enrolled Bills, reported back as
E. B. 14. correctly Enrolled Senate Bill No. 14. "an act to reduce the salary of the Judge of the Court of Common Pleas of Prairie County"

Senator Gantt of a special Committee submitted the following report which was read and received =

Mr President =

The special Committee to to whom was referred Resolution to investigate and report the circumstances of an error in the estimate of the floating debt of the State, beg leave to report

That they have made a thorough examination and investigation of the records of scrip in the Treasurer's office, and find that there are two record books of 5% fractional state scrip numbered from one to eleven thousand one hundred and eighty, one of like issue and amounts, one being a copy of the other, and that the former

treasurer in making an estimate of the floating debt, computed, as part of said debt, the original and copy of said record of scrip, which increased the floating debt six hundred and thirty-one thousand, one hundred and eighteen 06/100 dollars x This amount deducted from the floating debt leaves balance of floating debt, as stated by the Treasurer in last report, at four hundred and seventy-seven thousand, seven hundred and twenty-nine 47/100 dollars x

C. A. Gantt.
John F. Hill.
A. H. Ferguson x
Committee.

Senator Pennington called to the chair x

President Duffie from a seat on the floor moved that the Rules be suspended, and that House bill No 283, entitled "an act to amend an act entitled an act for the benefit of the Pleasant Ridge academy in Bradley County, approved January 10th 1861" x which was agreed to x

H. B. 283

The bill was then read a first time, and, the Rules being again suspended, a second time x

The hour of 12 o'clock M. having arrived, the special order for that hour was temporarily postponed, on motion, to permit Senator Duffie to offer certain amendments to Senate bill No. 283, which were read as follows:

S. B. 283.

Mr. President:

I move to amend section 1 by striking out the words "or give", and by inserting the word "or" before the word "exchange", in said section x

Also amend section 2 by striking out the words "or "giving", and by inserting "or" before the word "exchanging" in said section x

Also amend section 3, by striking out the words "or give" and by inserting "or" before the word "sell" in said section x Amendments read a first time, and, the Rules being suspended, a second time x

The amendment on motion was adopted, and then, on motion of President Duffie the bill was made a special order for tomorrow at 10 oclock and 45 minutes a.m.

The special order, which had been postponed, being Senate Bill 103, "an act to legalize and confirm the assessment levy and collection of the taxes of Logan County, for the year, 1877," was taken up for consideration x

B/103

Senator Chism moved that the vote by which it was passed to a third reading be reconsidered x which was agreed to x

Senator Chism then moved that section 1 be amended by inserting after the figures "1877," occurring therein, the word and figures "and 1878", and by substituting the word "are" for the word "is" in section 4 x

The amendments were read a first and second time and then on motion adopted x

Senator Chism moved that the bill be ordered Engrossed and made the special order for tomorrow at 12 oclock m. which was adopted x

The rules, by consent, being suspended, Senator Grant offered a Joint Resolution, (S.J.R. No. 7) providing for an amendment to the Constitution, which was read a first time and under a suspension of the Rules a second time

S.J.R. No. 7.

It was then on motion referred to the Joint Committee on Constitutional amendments x

Senator Chism moved that the Rules be suspended x and the motion being agreed to,

Senator Chism introduced a bill (S.B. 138) entitled "an act to amend section 2

S.B. 138.

of an act entitled an act to alter the 5th, 7th and 8th Judicial Circuits of the State of Arkansas, to create the Twelfth Judicial Circuit, and to fix the terms of holding courts in the Counties composing said Circuits" x Read a first time and the rules, on motion, being suspended a second time x

The bill was then, on motion of Senator Chism, made the special order for tomorrow at 10.40 a.m.

H.B. 17. On motion of Senator Harris the Rules were suspended, and House Bill No. 17 was taken up for consideration x Bill was read a first time, and, the rules being suspended a second time x

Senator Harris moved to amend the bill by including in its provisions the County of Mississippi x Amendment read twice and adopted x

The bill was then made the special order for tomorrow at 10 30 o'clock a.m.

S.B. 137. Senate Bill No. 137 was again ordered up, read for information, and discussion on the motion to reject the bill resumed x

Pending discussion thereon Senator Watkins moved that the Senate do adjourn x Which was not agreed to x

And the question being =
Shall the bill be rejected ?
It was decided in the negative x

Ayes	3
Nays	27
Not Voting	1

Those who voted in the affirmative are: Senators Crowley, Ferguson, Watson — 3 x

Voting in the Negative were = Senators Armistead, Boyd, Carlton, Chism, Duncan, Gault, Gatewood, Hamm, Harris, Hill, Judkins, Kerr,

Ritchie Mickey Pennington Reid, Rutherford Stanford Terry, Thornton, Tipton, Watkins, White Whittington Williams, Wilson and the President — 27 x

Absent and not voting Senator Hampton — 1 x

And so the bill failed to pass x

On motion of Senator Terry the Rules were suspended, when he introduced

S.B. 139. a bill (S.B. no. 139) entitled "An act to authorize the issue of bonds, to provide means for carrying on the State Government" x Read a first time, and the rules, on motion being suspended a second time x

The bill was then on motion of Senator Watkins referred to the Committee on Finance x

S.B. 137. Senator White moved that the Rules be suspended, and Senate Bill 137 be read a second time x which, being agreed to, the bill was read a second time x

It was then, together with its accompanying papers, on motion of Senator White referred to the Committee on Finance x

And then at 2 o'clock and 40 minutes P.M. the Senate, on motion of Senator White adjourned x

M M Duffie
President of Senate x

Attest
Louis T. Kretschmar
Secy

Senate Chamber,
Friday, February 21, 1879

The hour to which the Senate had adjourned — 9 o'clock and 30 minutes a.m. — having arrived, the President called the Senate to order ×

And the roll being called, it was found that the following named members were present, viz =

The President, Mr. Duffie, and Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Mitchel, Mucky, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington Wilson and the President ×

Absent Senators Hampton, Watkins and Williams ×

And a quorum announced ×

Prayer by Rev. Mr Brooks ×

The Journal of Saturday was read and there being no objection thereto, was approved and signed ×

Senator Hanna presented a petition from citizens of Conway County, signed by W. V. Higgins and over 100 others remonstrating against the passage of a bill proposing to detach a certain portion of Conway and attach the same to Perry County × Referred on motion to Judiciary Committee ×

Senator Terry submitted a Memorial to the legislature for relief of Weldon E. Wright, Receiving and Disbursing officer on Governor Baxter's Staff, during the Brooks — Baxter war, in 1874, for Payment of balance due on his claims ~~against~~ against the state for money advanced by him ×

On motion, and without reading referred to the Committee on Militia ×

Senator Boyd presented a petition from twenty-one citizens and residents of a certain portion of Mammoth township, Pulaski County, asking that said territory be annexed to Perry County ×

S.B. 47. Senator Tipton moved that the motion to reconsider the vote by which Senate Bill No. 47, "an act to abolish the office of Adjutant General, and for other purposes" was passed, be taken from the table ×

Senator Mitchell moved ~~that~~ substitute that the consideration of the motion be postponed for one-half hour × which was agreed to ×

S.B. 140 By consent, Senator Watson introduced a bill (S.B. 720. 140) entitled "an act to prohibit the Auditor and Treasurer of State of Arkansas from carrying forward on their Books, and in their Reports of the statement of the Public Debt of the State the Bonds heretofore issued by the State to aid in the building of Railroads and Levees" × Read a first time, and, the rules, on motion, being suspended a second time ×

Senator Watson moved that the bill be made the special order for tomorrow at 10.30 o'clock, a. m.

Senator Reid moved as a substitute that it be referred to the Committee on Finance × which was agreed to ×

Senator Stanford offered the following resolution which was read:

Resolved, That Johnson Ford be allowed one dollar per day for services as wood sawyer and Vault-watchman, rendered the Senate during its present session ×

Senator, moved to amend the Resolution so that it should read that he should receive one dollar per day for each day his services were employed × Amendment accepted ×

Friday

Senator Armistead moved that the resolution be referred to the Committee on Public expenditures × motion adopted ×

A message from the House was received, by John G. Holland, its clerk, who being invited within the bar of the Senate, said as follows:=

Hall, House of Representatives,
February 21. 1879 ×

Mr President:=

I am instructed by the House of Representatives to inform your Honorable body of the passage by the House, of H. B. 137, "An act to provide means to support the state Government and supply deficiencies in the Treasury" × Also

H.B. 137 ×

H. B. 284, "An act to extend the time for the collection of the taxes on the tax books of Carroll county, for 1878, till the first day of September, 1879;"

H.B. 284 ×

and herewith respectfully transmit the same for your favorable consideration ×

John G. Holland, Clerk ×

Senator Boyd presented a petition from citizens of Gray Township, Pulaski county, signed by T. C. Hardcastle and 121 others, remonstrating against the passage of a law prohibiting the sale of ardent or vinous spirits in said township

On motion of Senator Boyd, the petition was referred to the select committee on Liquor traffic and Licenses ×

Senator Hill rose to a question of privilege, and asked that Senator Watkins, who, by an accident had received serious injuries, be granted indefinite leave of absence × Leave granted ×

Under the Rule,
Senator Watson, of the Judiciary Committee, presented a report which was read as follows:=

S.B. 19

Mr. President =

A minority of your Committee, on the Judiciary, beg leave to dissent from the majority upon Senate bill No. 19, "an act entitled an act to repeal an act for paying the expenses of the State Government, and to relieve the outstanding auditors Warrants and Treasury certificates, approved Dec. 23. 1874, and to authorize the State Board of Finance to borrow money to pay expenses of the state government, and to pledge the Bonds of the State as security"; and for cause of dissent submit the following reasons =

1st. – Because the act which we seek to repeal by this bill was adopted as a temporary expedient in 1875, for the purpose of raising money to start a Government, which had just then been inaugurated, upon the downfall of a usurpation which had by force taken possession of the state of Arkansas, and had plundered the Treasury of every dollar of currency in it, and had bequeathed to the people a large floating debt, known as the 5 per cent Treasury certificates, and in order to get money to carry on the rightful government of the people, until this new Government, then known as the "Garland Government" could be established, the issuing of Bonds was resorted to, which was then regarded as a great stretch of power, and only justified as a "Military necessity" the rightful government having been established, and peace and Prosperity now reigns throughout the State, we cannot now see the necessity, of longer continuing, as a part of the law of the land, a statute which all will concede is fraught with evil, and under certain circumstances could be used as an engine of oppression.

2nd. – Because said act surrenders to the holders of the Bonds, issued under its provision, the Sovereignty of the State of Arkansas. Section 10 authorizes the state and United States courts, or the judges thereof, in vacation, to issue writs of Mandamus against the officers of State, to compel a levy of taxes, to pay the principal and interest of said bonds, all of which virtually places the state and her citizens,

at the mercy, and in the power, of the bondholders. And how they will use that power and mercy, let the cold charity shown in the past to those who come into their clutches, answer. Pestilence, Famine, Drouth, or any other unavoidable calamity may come upon us; yet one of them, would be a sufficient plea in the Courts, if, by reason of them, we should be prohibited from meeting the Bonds when due.

3rd. Because said act authorizes the Board of Finance to hypothecate the Bonds of the State, at one-half their par value, with authority given to the holders thereof to sell them for what they may bring, upon default of the State. and if, for any cause, seen or unforeseen; avoidable or unavoidable, the State should fail to meet her obligation, by the day named, for the use of the sum of $250,000, $500.000 of her bonds would be sacrificed.

4th. Because said act authorizes the Governor of the State to mortgage the lands of the State, to secure the payment of said bonds; and if, purchaser, the necessity should arise for the sale of the bonds hypothecated, and they should not bring the amount required to pay for the sum borrowed, a Trustee is authorized to sell the domain of this Sovereign State. What a spectacle it would present, an auctioneer standing upon the steps of the State House of a Sovereign State, selling the State out, and no power left in that Sovereignty to interfere.

5th. Because said acts only authorizes the State to draw one-fourth of the sum borrowed, at a time, and that quarterly, whilst interest is being paid on the sum not drawn; and the lender has the benefit for banking purposes, of said sums not drawn out. and while said act only authorizes the payment of ten per cent interest, the State, in fact, pays on an average twenty-one per cent, and the lender has the benefit of the use of the money not drawn out each remaining quarter.

6th. Because we believe the urgent necessity which caused the enacting of such acts has passed, and those who serve the State should take her warrants for pay, as those who serve the Counties as witnesses, jurors and officers,

must take county warrants for pay, and wait until the money is collected from the people to redeem them x and in our opinion it would be an act of patriotism in those who serve the State in this most critical time, to suffer a slight depreciation in their pay, rather than place our state in the attitude of a suppliant at the feet of the money lenders of the East.

7th. Because we believe that the borrowing of money to defray the current expenses of this state, when it appears that we have $90.000.000. of taxable property in the state, is an evidence to the world of mismanagement, and a want of confidence in the state by her people, and is sufficient within itself to cast a grave reflection upon the honor and dignity of the State x

Respectfully submitted x

J. E. Gatewood, Senator 12th District
T. M. Whittington, Senator 17th District
J. R. Thornton, Senator 19th District
E. P. Watson, Senator 24th District.

Senator Gatewood, chairman of the Committee on Claims submitted a report on the "petition for relief of Isaac Pendley", and recommended that the relief prayed for be not granted x Report received x

S.B. 119. Senator Gatewood from the same Committee reported back Senate Bill No. 119, entitled "an act to extend the time in which to present county warrants for reissue in certain cases" and with a certain amendment thereto, recommended that the bill do pass x

Report received

Senator Crowley sent to the Secretary's desk a report which was read as follows:

Mr President.

H.B. 136 A majority of your Committee on Finance, to whom was referred House Bill No. 136, "an act to revive the State Board of Finance, and raise means to support the state government, have had the same under consideration, and report the same back to the

Friday

Senate with a recommendation that the same do pass.

P. H. Crowley,
W. S. Hamed,
John F. Hill,
J. P. Judkins,
A. H. Ferguson,
C. H. Carlton,
H. King White.

Senator Terry submitted a report which was received, and read as follows:

Mr. President:

As members of your Committee on Finance, to whom was referred Senate bill 139, for an act to authorize the issue of bonds to provide means for carrying on the State Government, have, according to order, had the same under consideration, in connection with House Bill 136, and now recommend that Senate Bill 139 be adopted as a substitute for House Bill 139, and that said Senate bill do pass.

S.B. 139. and H.B. 136.

Respectfully submitted.

W. L. Terry,
E. L. Boyd,
R. T. Kerr
C. A. Gantt.

Senator Judkins moved that the majority report be adopted.

Senator Kerr moved as a substitute that 150 copies of Senate Bill No. 139 be ordered printed and that it, together with House Bill 136, and all papers relating to either, be made the special order immediately after the reading of the Journal next Monday morning.

S.B. 47.

The motion of Senator White to reconsider the vote by which Senate Bill No. 47 "an act to abolish the office of Adjutant General, and for other purposes" was ordered up for consideration.

Feby. 21. 1879

Senator Thornton was called to the chair.

Pending discussion relative to the motion to reconsider, a message from the House was received, by John G. Holland, its Clerk, who, being invited within the bar of the Senate, read as follows:

Hall, House of Representatives,
February 21. 1879.

Mr. President:

I am instructed by the House of Representatives to inform your Honorable body, of the passage by the House of S. B. No 23, an act entitled an act to provide for a bond for costs in suits brought to contest elections in the Circuit Courts, and County Courts in this state" and herewith respectfully return the same.

S.B. 23.

John G. Holland, Clerk.

The debate on the motion to reconsider continuing,

Senator Gatewood moved that the Senate take a recess until 2½ o'clock p.m.:

Senator White moved to amend by making the hour 7½ o'clock p.m. which was agreed to.

And then at 1 o'clock and 30 minutes p.m. the Senate took a recess until 7 o'clock and 30 minutes this evening — then to resume the consideration of the motion to reconsider the vote by which Senate Bill No 47, had been passed

Friday

After Recess.

The hour of 7 o'clock and 30 minutes P.M. having arrived the President called the Senate to order.

And the roll being called it was found that the following named members were present and answered to their names, viz: The President Mr. Duffie, and

Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Hanna, Harris, Hill, Judkins, Kerr, Muckly, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson.

Absent were Senators ~~Gantt~~, Gatewood, Hampton, Mitchel, Watkins.

And a quorum announced.

The President announced the question before the Senate to be the motion to reconsider the vote by which Senate Bill No. 47, "an act to abolish the office of General, and for other purposes".

Senator White asked unanimous consent to introduce a report ~~which was~~ agreed to, & he forwarded to the Secretary's desk the following, which was read:

Mr. President:

Your Committee on Militia to whom was referred Senate Bill number 118, have, after due consideration of the same, unanimously instructed me to report back the same to the Senate, and recommend its passage.

Report received.

By unanimous consent, the rules were suspended to permit the Judiciary Committee to submit reports on bills referred to it, when

Senator Wilson reported back Senate Bill No. 132, "an act to regulate the practice in suits

S. B. 132.

for injunction and for the appointment of receiver" and recommended that the same do pass × Report received ×

S.B. 107 Senator Wilson also submitted a report upon Senate Bill No. 107 "An act to amend the law in relation to the practice upon trials at law in civil cases" and recommended its passage × Report received ×

S.B. 88. Senator Wilson from the Judiciary Committee, also reported back Senate Bill No. 88, "An act to define and punish certain crimes" with the recommendation that it do pass × Report Received ×

S.B. 128. Senator Wilson from the same committee reported back Senate Bill No. 128, "An act to amend Section 3610 of Gantt's Digest" and recommended that the same do pass × Report received ×

S.B. 129 Senator Wilson submitted a further report from the Judiciary Committee on Senate Bill No. 129, entitled "An act to amend Section 399 of Gantt's Digest, and recommended its passage × Report received ×

S.B. 125. Under the Rules, Senator Tipton of the Committee on Engrossed Bills returned Senate Bill No. 125 entitled "An act to authorize the county Court of Benton County, or the Judge thereof in vacation to sell or barter the interest bearing scrip, in the Treasury of said county, for the interest bearing county warrants of said county, and for other purposes", and reported the same Correctly Engrossed ×

S.B. 47. The motion to reconsider the vote by which Senate Bill No. 47 had been passed was then ordered up, and discussion thereon resumed ×

After some time spent in debate, Senator Boyd moved that when the Senate adjourn, it be until Monday morning next, the 24th inst × which was agreed to ×

And then, on motion of Senator Thornton, the Senate adjourned until the hour and day above named.

Attest
Lu T. Kretschmar
Secy

M M Duffie
President of Senate

Monday

Senate Chamber,
Monday. February 24. 1879.

The Senate met, pursuant to adjournment at 10 o'clock A.M. and was called to order by the President.

And the roll being called, it was found that the following named Senators were present and answered to their names, viz:

The President, Mr. Duffie; and Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, and Wilson.

Absent — Senators Chism, Hampton, Mitchel, Muckey, Watkins, Whittington and Williams.

Senator Hanna explained that Senator Chism was absent on duty with the Joint Committee on Insane Asylum, of which he was a member.

On motion of Senator Judkins the Rules were suspended, when he submitted on behalf of the Judiciary Committee a report which was read as follows:

Mr President:

H.J.R. No. 1.

The Committee on Judiciary to which was referred House Joint Resolution No. 1. proposing an Amendment to the Constitution, has had the same under consideration, and find that they are unable to agree as to the resolution, or the amendment offered by Senator Terry, this bring twelve members of the Committee present, six of whom are in favor of the amendment and six opposed to its adoption. Six members are in favor of the passage of the Resolution as passed by the House, and six of said members of the Committee are opposed to the passage of the Resolution, in its present shape.

February 24/79.

I am therefore instructed to return the same without recommendation, and ask to be relieved from further consideration of the same, believing that it is impossible to obtain a majority on either side.

Senator Kerr moved that the report be not received. Which motion was lost.

And the report was then received.

S. 73. 47.

And the question before the Senate being the motion to reconsider the vote by which Senate Bill No. 47 had been passed, being "an act to abolish the office of Adjutant General, and for other purposes" it was ordered up.

And the question being: on
Shall the motion to reconsider the vote be adopted?
It was decided in the negative.

Ayes — — —	7.
Noes — — —	16.
Not Voting — — —	8.

Those who voted in the affirmative are: Senators Armistead, Carlton, Harris, Jackson, Stanford, Thornton, White — 7.

Voting in the negative were: Senators Boyd, Duncan, Ferguson, Gantt, Gatewood, Hodges, Hill, Kent, Pennington, Reid, Rutherford, Terry, Tipton, Watson, Wilson and the President — 16.

Absent and not voting were: Senators Chism, Crowley, Hampton, Mitchell, Nuckly, Watkins, Whittington, Williams — 8.

And so the motion did not prevail.

The President announced that under the motion to postpone the consideration of all special orders, until the motion to reconsider the vote by which Senate Bill No. 47, had been passed

the said special order, the motion to reconsider having been disposed of, moved now be taken up in their order.

A message from the Governor by James M. Pinney Esq. was received, and the Messenger being invited within the bar of the Senate, read as follows:

State of Arkansas,
Executive office,
Little Rock, July 21. 1879.

To the President of the Senate -
Sir President:

It becomes my duty to send to the General Assembly a statement of the deficiencies in appropriations, prepared by the Auditor.

In presenting this statement I feel it my duty to repeat the intimation expressed in my Biennial Message, that the payment of militia expenses in Scott County, possesses a character which can only be called a sacred one. The officers and men went under orders, at the peril of life, and actuated by motives purely unselfish - they had no security of pay, other than such as might result from your action; appropriation there was none. The men who furnished the supplies did so from a feeling of patriotism, combined with enlightened self-interest. A ready-money market stood open for them, while they poured out their bacon and corn for nothing, except as you, gentlemen of the General Assembly, might see fit to recognize their demands. The citizens who stand ready at their own sole expense to honor the law, should receive the support of the makers of the law; or else there is no law, no peace, and no security for society.

W. R. Miller,
Governor.

The auditor's statement referred to accompanied a similar message to the House.

Another message from the Governor was announced and read as follows:

Feby. 24. 1879

State of Arkansas,
Executive office,
Little Rock, Feby 21. 1879

To the President of the Senate -
Sir President =

I have approved

S. B. 14. and signed, S. B. 14, An act to reduce the salary of the Judge of the Court of Common Pleas, of Prairie County.

W. R. Miller
Governor ×

S. B. 125. The first of the postponed special orders Senate Bill (No. 125) entitled "An act" to authorize the County Court of Benton County, or the Judge thereof in vacation, to sell or barter the interest-bearing state scrip in the Treasury of said County, for the interest-bearing County warrants of said County, and for other purposes", was taken up, Read a first time, and placed upon its final passage ×

And the Question being =
Shall the bill pass?
It was decided in the affirmative,

Ayes ---	22
Nays ---	1
Not Voting -	8.

Those who voted in the affirmative are = Senators Boyd Carlton Crowley, Duncan, Fugate Gantt, Gatewood, Hanna, Harris, Heill, Kirby, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson White, Wilson and the President — 22

Senator Jordan voted in the negative — 1

Absent and not voting were = Senators Armstead, Chism, Hampton, Mitchel, Muckey, Watkins, Whittington, Williams — 8 ×

And so the Bill passed ×

Monday

Senator Pennington called to the chair.

H.B. 283

The next special order, House Bill 283, entitled "an act to ~~amend~~ an act entitled an act for the benefit of the Pleasant Ridge Academy, in Bradley County, approved January 10th. 1861," was taken up for consideration.

The President from a seat on the floor offered an amendment to the bill, to-wit: strike out the third section of the bill.

Amendment read a first time and, the rules being suspended, a second time. It was then on motion adopted.

And, on motion of the President, the Bill was made a special order for Wednesday next, the 26th inst. at 10.30 o'clock a.m.

A message from the House was received, by John G. Holland, its clerk, who, being invited within the bar of the Senate, read as follows:

Hall. House of Representatives,
February 24. 1879.

Mr President:

S.B. 100

I am instructed by the House of Representatives to inform your Honorable body of the passage by the House of S. B. No. 100, a bill to be entitled "an act to donate all the lands forfeited to the state for non-payment of taxes, all swamp and overflowed lands, lying in the counties of Clark, Calhoun, Ouachita and Hot Springs, and all of such lands in Dallas County, situate west of range 15 west, for the purpose of aiding in the construction of a railroad in said section," with the following amendment: "Strike out 'Hot Springs' wherever it occurs in the bill", and herewith respectfully return the same for your concurrence.

H.B. 298

I am further instructed to inform you of the passage of H. B. No. 298, "a bill for

an act to appropriate money to pay the mileage and per diem, and contingent expenses of the General Assembly"*

H.B. 87. Also, H.B. 87, a bill to be entitled "an act to provide for building and repairing the public levee of this state"

H.B. 95 Also, H.B. no. 95 a bill for "an act to be entitled an act to repeal" an act entitled an act to repeal an act entitled an act declaring Petit Jean Creek a navigable stream, approved January 10. 1861;

H.B. 263 Also, H.B. no 263, "an act changing the time of holding the semi-annual terms of the circuit court of Phillips county, and giving Lee County an additional week at each of its semi-annual terms of the circuit court in 1st Judicial circuit";

H.B. 297 also, H.B. 297 "an act to prescribe the time for holding the circuit courts in the Eight Judicial circuit", and herewith respectfully transmit the same for your favorable consideration*

John G. Holland, Clerk.

Senators Hampton, Chism, Mulkey and Williams appeared in their seats*

S.B. 56* The next special order S.B. No. 56. entitled "an act to authorize and empower the city council of cities of the first class to require an occupation license", was called up, read a third time, and after discussion thereon, placed upon its final passage*

And the question being=
Shall the bill pass?
It was decided in the affirmative

Ayes	13
Nays	10
Not Voting	8.

Those who voted in the affirmative are= Senators Armistead, Chism, Duncan, Gault, Hanna, Kerr, Pennington, Rutherford, Stanford, Terry, Thornton, Watson, Williams — 13*

Voting in the negative were = Senators Boyd, Crowley, Ferguson, Gatewood, Harris Hill, Reid, Tipton, White, and the President — 10 ×

Absent and not voting were = Senators Carlin, Hampton, Judkins, Mitchell, and Watkins, and Wilson — 6 ×

Senators Mullky and Whittington, by consent, were excused from voting — 2

And so the bill passed ×

S.B. 23. Under the Rule,

Senator Hill, Chairman of the Committee on Enrolled Bills, reported back Senate Bill No. 23, as correctly Enrolled ×

S.B. 109. The next special order, being Senate Bill 109, entitled "an act to regulate the sale of vinous, ardent, malt and fermented liquors" was ordered up for consideration ×

Senator Judkins moved that the Senate go into committee of the whole on the bill × which was lost ×

Senator Terry moved that the bill be read by sections for the purpose of adding amendments thereto × Agreed to ×

Senator Terry moved to amend the 1st section by adding thereto the following proviso, to-wit =

"Provided, that druggists and apothecaries, and other persons, shall be permitted to use such liquors in compounding medicines that will not intoxicate; and that regular practicing physicians may prescribe and administer for the benefit of their patients, under their immediate supervision, such stimulants, spirits, or alcoholic preparations, as in their judgment they may think proper"

Amendment read a first time, and, the rules being suspended, a second time ×

Senator Thornton moved to lay the amendment on the table × not agreed to ×

Senator Tipton asked for a division of the question, which was agreed to.

And the question being on the adoption of the first clause of the proviso, ending with the word "intoxicate" the same was declared lost.

It was then moved that the concluding clause of the amendment be adopted.

On this motion Senator Watson called for the ayes and noes, and the call sustained.

And the question being=
Shall the amendment be adopted?
It was decided in the negative.

Ayes	7
Noes	16
Not Voting	8

Those who voted in the affirmative are= Senators Boyd, Crowley, Ferguson, Gantt, Mackey, Terry and Watson — 7.

Voting in the negative were= Senators Armistead, Chisolm, Duncan, Gatewood, Hanna, Harris, Hill, Judkins, Pennington, Reid, Rutherford, Thurston, Tipton, Williams, Wilson, and the President — 16.

Absent and not voting were= Senators Conlin, Hampton, Kerr, Mitchell, Stanford, Watkins, White and Whittington — 8.

And so the motion did not prevail.

Senator Armistead offered the following amendment, which was read=

Mr President=

I move that section 1. be so amended as to read that it shall not hereafter be lawful for any person to sell any ardent vinous, malt, or fermented liquors, in this state, or any compound or preparation, known as "tonic" or "bitters", a material or component part of which is ardent, vinous, or intoxicating liquors.

Monday, July 24/79

The amendment on motion was rejected ×

At this, on motion, the Senate at 1 o'clock P.M. adjourned ×

M M Duffie
President of Senate ×

Attest
Lar Y Kretschmar
Secy

×

Senate Chamber,
Tuesday, February 25, 1879.

The hour to which the Senate had adjourned - 9.30, a.m. - having arrived, the President called the Senate to order.

And the roll being called it was found that the following named members were present and answered to their names, viz:

The President, Mr Duffie, and Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Gantt, Gatewood, Hanna, Harris, Jackson, Kerr, Mitchel, Pennington, Reid, Rutherford, Terry, Thornton, Tipton, Watson, White, Whittington, and Wilson.

Absent: Senators Ferguson, Hampton, Hill, McKay, Stanford, Watkins and Williams.

On motion of Senator Armistead Col. J. S. Dunham of Crawford Co. and Dr Hay of North Carolina, were invited to seats within the bar of the Senate.

Senator White asked that he be excused from attendance on the senate, temporarily, to permit him to attend a meeting of the sub-committee on Penitentiary investigation. Request granted.

On motion of Senator Wilson, leave of absence was granted, until tomorrow to Senator Hill.

H.B. No. 16 By consent, and on motion of Senator Tipton, the Bill of the House (H.B. No. 16) was taken up for consideration, and the amendment thereto read a second time and adopted.

The bill as amended was then read a third time and placed upon its final passage.

And the question being:
Shall the bill pass?
It was decided in the negative.

Ayes — — — 8
Noes — — — 12
Not Voting — — 11

Those who voted in the affirmative are: Senators Duncan, Gantt, Harris, Pennington, Stanford, Tipton Watson & White — 8 x

Voting in the negative were: Senators Boyd, Chism Crowley, Gatewood, Hanna, Mitchel, Reid, Rutherford, Terry Thornton, Whittington and the President — 12 x

Absent and not voting, were: Senators Armstead, Carlton, Ferguson Hampton, Hill, Judkins, Kerr, McKey, Watkins Williams and Wilson — 11 x

And so the bill failed to pass x

Senator Thornton moved to reconsider the vote by which Senate bill No. 56, an act to authorize and empower the City Council of Cities of the first class to require an occupation license" was passed x

Senator Harris moved that consideration of the motion be postponed, until 11 o'clock tomorrow, and that it be made the special order for that hour x

Senator Terry moved to lay the motion to reconsider on the table

And on that the ayes and noes were called & the call sustained x

And the question being:
Shall the motion to table be adopted?
It was decided in the affirmative x

Ayes — — — 13
Noes — — — 11
Not Voting — — 7

Those who voted in the affirmative are = Senators Chism, Crowley Duncan, Hanna Judkins, Kerr, Pennington, Rutherford, Stanford Terry, Tipton Watson and the President — 13 x

Voting in the negative were = Senators Boyd, Carlton, Gantt Gatewood, Harris, Mitchel, Reid Thornton, White Whittington and Wilson - 10

Absent and not voting were = Senators Armistead, Ferguson, Hamilton, Hill, Muckey Watkins and Williams — 7 x

And so the motion to lay upon the table prevailed x

On motion of Senator Rutherford Dr. Vaughan and son, of Independence County were invited to seats on the floor x

S. B. 103. On motion of Senator Chism, unanimous consent was given to take up, for consideration Senate Bill No 103. entitled "An act to legalize and confirm the assessment levy and collection of the taxes of Logan County, for the year 1897 x

Senator Chism moved that it be ordered engrossed, and made the special order for tomorrow, immediately after the reading of the Journal x (which was agreed to x

H. B. 284. Sen Wilson asked that the Rules be suspended, and that the bill of the House. (H. B. No. 284) be called up x agreed to x

The bill was then read a first time, and the rules, on motion, being suspended a second time x It was then, on motion of Senator Wilson made the special order for tomorrow at 11 o'clock A. M.

Senator Boyd moved that Senate Bill No. 110 be taken up for consideration x which was agreed to x

The bill was then read a first time and under a suspension of the Rules a second time x

It was then, on motion of Senator Boyd made a special order for tomorrow at 11 o'clock a.m. x

Under the Rule,
Senator Terry reported as correctly engrossed Senate Bill No. 21 x

As in order,
Senate Bill 109, entitled "an act to regulate the sale of vinous, ardent, malt and fermented liquors", being a special order postponed, was ordered up for further consideration by the President x

S.B. 109.

Senator Thornton moved to amend section 1. by inserting after last word in line 7 of the printed bill the following proviso, to-wit=

Provided further that said original packages shall not contain less than twenty-five gallons x

Amendment read a first time and, under a suspension of the Rules a second time x

Senator Harris moved to amend the amendment by striking out the words "twenty-five" and inserting in lieu thereof, the word "five" x Which amendment was read twice and agreed to x

The amendment as amended was then adopted x

Senator Reid moved to strike out the 6th and 7th lines of section 1. motion lost x

The first section, as amended, was then on motion agreed to x

Senator Watson moved to amend section 2. by inserting after the word "quart" in line 5, of the printed bill the words, "Except those who are regular druggists may sell less than a quart when the same is prescribed by a regular practicing physician" x

Senator Judkins moved to amend the amendment by striking out the word "not" after the word quantities in line 4, section 2 × motion lost ×

Senator Rutherford moved to amend the amendment by adding thereto the following proviso, to-wit:

"Provided said prescription shall be filed with the druggist and preserved by him" × which was not agreed to ×

Senator Judkins moved to amend the amendment as follows:

"Provided that no physician shall be permitted to give any prescription, unless he first files in the clerk's office of his County an affidavit that he will give no prescription for ardent spirits, except it be to be used in a case of actual sickness, and as a remedy therefor" ×

Which motion was lost ×

On the motion to adopt Senator Watson's amendment, the ayes and noes were called, and the call sustained ×

And the question being = Shall the amendment be adopted? It was decided in the negative ×

Ayes — — —	10
Noes — — —	12
Not Voting — —	9

Those who voted in the affirmative are = Senators Boyd, Carlton, Hanna, Harris Pennington, Rutherford, Stanfiri, Terry, Watson, and Wilson — 10 ×

Voting in the negative were = Senators Duncan, Gantt, Gatewood, Judkins, Kerr, Mitchie, Reid, Thornton, Tipton, Whittington, Williams and the President — 12 ×

Absent and not voting were = Senators Armistead, Chisin, Crowley, Ferguson, Hampton, Hill, Watkins Mulky and White — 9 ×

Senator Hanna moved to amend the second section, by striking out in the 2nd. line the word "licenses", and inserting in lieu thereof, the words "a license"

Amendment read a first and second time, and then on motion adopted ×

Section 3. was adopted as read ×

Senator Terry moved to amend Section 4. as follows:=

"Amend section 4 by inserting after the word "pay", in the 5th line, the words "sixty-five per cent of", and by inserting after the word "amount" in said line, the following: "for a license for six months, and forty per cent of the full amount for three months or any less time"; and to strike out the word "of" in said line" ×

The amendment being read a first and second time, a motion to adopt it, was lost ×

Senator Kerr moved to amend section 4, by striking out the word "two" in the fourth line, and inserting in lieu thereof the word "one"

Amendment read a first and second time, and then, on motion, adopted ×

Senator Kerr moved to amend section 4, lines 9 and 10, by striking out the words "and fifty dollars for the use of the state", and by inserting in lieu thereof in line 9 between the words "of" and "fifty" the following words: "a sum not to exceed" × Amendment lost ×

By consent, Senator Judkins introduced an amendment to Section 2 in the following words, to-wit: "after the word "to" in line 2 strike out the word "issue" and insert the word "grant"

Amendment read a first and second time and on motion adopted ×

Senator Judkins moved to amend section 3, by adding after the word "before", in line 1, the words "the flick of" x

The amendment having been read a first and second time, it was, on motion, adopted x

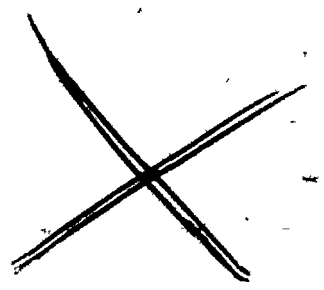
Senator Gantt moved to amend section 2 by striking out the word "or", in line 3, of the printed bill, and adding after the word "bitters", in the 4th line, the words, "medicated liquors"

The amendment was read a first time, and, under a suspension of the Rules, a second time x It was then on motion adopted x

On motion of Senator Judkins, the Senate, at 12 o'clock m. adjourned until tomorrow morning x

M M Duffie
President of Senate x

Attest
Lan S. Kretschman
Secy



Senate Chamber,
Wednesday, February 26. 1879.

The hour of 9 o'clock and 30 minutes having arrived, being the hour to which the Senate had adjourned, the President called the Senate to order.

And the roll being called it was found that the following named members were present, and answered to their names, viz:
The President Mr Duffie, and Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kirr, Mitchel, Pennington, ~~Mackey~~, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, Whittington and Wilson and Williams.

Absent were: Senators Hampton, ~~Mackey~~, Watkins, White.

And a quorum announced.

Prayer by the Chaplain.

The Journal of yesterday was read, and after correction was approved and signed.

Under the Rule.

Senator Watson, Chairman of the Committee on Engrossed bills, reported back Senate Bill, 103, "an act to legalize and confirm the assessment, levy, and collection of the taxes of Logan County, for the year 1878" as correctly engrossed.

S.B 103.

And the bill having been made the special order for this morning immediately after the reading of the Journal, it was ordered up for consideration, read a third time, and placed upon its final passage.

And the question being:
Shall the bill ~~pass~~?
It was decided in the affirmative.

Ayes	26
Noes	0
Not Voting	5

Those who voted in the affirmative are: Senators Armistead, Boyd, Chism, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Mitchell, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Walton, Whittington, Wilson and the President - 26.

None voted in the negative.

Absent or not voting were - Senators Hampton, Muckey, Watkins, White and Williams - 5.

And so the bill passed.

On motion of Senator Chism, the title of the Bill was amended, so as to conform to its provisions, by adding thereto the words and figures "and 1878."

Senator Kerr presented a petition for the relief of Geo. C. King of Sebastian County, which, on motion, was referred to the Committee on Claims.

SB 109.

The President announced the question before the Senate to be the consideration of Senate Bill No. 109, "an act to repeal the sale of wines, ardent, malt or fermented liquors", and the same was ordered to be taken up.

Senator Reid moved that the Senate go into a committee of the whole on its consideration.

Senator Kerr moved that said motion lie upon the table. And the motion being agreed to,

The Secretary read Section 6. of said bill.

Senator Terry moved that the words: "medicated liquors" be added after the words "tonics or bitters" in said section. Amendment agreed to.

Section 6 was adopted as read.

Senator Watson moved that after the word "election" in line 2 of Section 8, the words "for state offices" be inserted. Amendment adopted.

Senator Terry moved to amend the 9th Section, by striking out the word "each" in the 5th. line, and by inserting in lieu thereof the word "any"; and that after the word "city" in the said line 5, the words "of these" be inserted.

Amendments on motion, adopted.

Senator Terry also moved to amend the bill, in this, to-wit = that in every part of the bill where the words "tonics or bitters" occur, and after the same, the words "or medicated whiskey" be inserted.

On motion the amendment was adopted.

A message from the Governor, was received, by James M. Penney, Esq. who, being invited within the bar of the Senate, read as follows:=

State of Arkansas,
Executive office,
Little Rock, July. 25. 1879.

To the President of the Senate -
Mr President:=

S. B. 23. I have approved and signed S. B. 23, an act to provide for a bond for costs, in suits brought to contest elections in the circuit courts and county courts of this state,

W. R. Miller,
Governor.

S. B. 109. The 10th. Section of Senate Bill, 109 having been read, Senator Terry moved that all after the word "city", in the 4th line of said section be stricken out. Amendment agreed to.

Senator Watson moved to amend Section 11, by adding the word "license" after the word "Saloon" in the second line. Amendment agreed to.

Senator Watson moved that the blank in section 12 be filled by the word "four", which was agreed to x

Senator Chism moved to amend section 12 by inserting the word "County" before the word "court" x agreed to x

Senator Judkins moved to amend section 12 by striking out the word "granted" in line 1, and inserting in lieu thereof the word "issued" x amendment not agreed to x

On motion of Senator Walton the word "granted" in line 2 of section 13 was stricken out and the word "issued" inserted in lieu thereof x

Senator Gatewood moved to insert the word "room" after the word "drinking shop" in the 3rd line of section 14 x Amendment agreed to x

The remaining sections of the bill up to, and including, section 19, were adopted as read x

Senator Whittington offered the following as an additional amendment, to be known as section 20:

§. 20. Any person who shall sell, either for himself or another, or be interested in the sale of any ardent, vinous, malt or fermented liquors, or any compound or preparation thereof, commonly called "tonics", "bitters" or "medicated whiskey", to any minor, without the written consent or order of the parent or guardian, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than fifty, nor more than one hundred dollars x

Amendment read a first time and the rules being suspended a second time x It was then on motion adopted x

Senator Whittington moved that section twenty of the bill as originally introduced be numbered and known as section 21 x agreed to x

By consent, Senator Boyd was permitted to again call up for consideration Section 18, and thereupon moved to amend the same by inserting in line 6 the words "the same" after the word "and"

Amendment read a first and second time, and then, on motion adopted.

Senator Watson moved that the bill as amended be made the special order for tomorrow at 11 o'clock a.m. agreed to.

H.C.B. 283. The next special order House Bill No. 283, entitled "an act for the benefit of the Pleasant Ridge academy, in Bradley County, approved January 10th. 1861, was ordered up, read a third time, and placed upon its final passage.

And the question being:
Shall the bill pass?
It was decided in the affirmative.

Ayes — — —	24
Noes — — —	0
Not-Voting — —	7.

Those who voted in the affirmative are: Senators Boyd, Carlton, Chism, Duncan, Ferguson, Garrett, Gatewood, Haynie, Harris, Heill, Judkins, Kerr, Mitchel, Mullay, Pennington, Reid, Stanfor Thornton, Tipton, Watson, Whittington, Williams, Wilson and the President — 24.

None voted in the negative.

Absent and not voting were: Senators Armistead, Crowley, Hampton, Rutherford, Watkins and White and Terry — 7.

A message from the House, by John G. Holland, Esq. its Clerk, was received, and the messenger being invited within the bar of the Senate, read as follows:

Hall. House of Representatives,
Feby. 26. 1879.

Mr President:
I am instructed by the House

of Representatives to inform your honorable body of the passage by the House of Senate Bill 52, entitled "an act to encourage the building of Railroads, in the state of Arkansas", with the following amendments:

1st. amend section 2, by striking out the words "Sebastian and Johnson", and by inserting before the word "Franklin", the words "and that part of", and after the word "Franklin" the words "not lying south of the Arkansas river".

2nd. amend section 5, by striking out all after words: "Be it further enacted", and insert in lieu thereof the following words: "That this act shall take effect and be in force sixty days after the passage thereof, and for sixty days all said lands shall be subject to donation, sale or redemption, under existing laws: Provided that the privilege of donating, purchasing or redeeming said lands shall be confined to persons holding or claiming said lands under a color of title, or to donating or purchasing tracts not exceeding one quarter, or fractional quarter section, to any one person; and during said term of sixty days, said lands shall be restored to market, and subject to redemption or donation as aforesaid, or to sale in tracts of quarter sections, or less, as aforesaid, in as full and ample a manner, as if said lands had not been withdrawn from market, under the provisions of the act of Dec. 9. 1875; and herewith respectfully return the same requesting your concurrence in said amendments.

I am further instructed to inform you of the passage of H. B. 111, a bill to be entitled "an act to attach the territory of Clark County to the Counties of Dallas and Nevada, and for other purposes".

H. B. 111

Also, H. B. 211, "an act to amend section 3076 of Gantt's Digest".

H. B. 211

House Bill 303, "a Bill for an act to be entitled an act to reduce the salary of the officers of the Executive and Judicial Departments of the State Government, and to reduce the mileage and per diem of the members of the General Assembly".

H. B. 303.

Also, H. B. 245, entitled "an act to adjust the indebtedness of that portion

H. B. 245

of territory cut off from Chicot county and added to Desha County, by Act No. 28, approved Feby. 10th. 1879, entitled "an act to change the boundary lines between the Counties of Chicot and Desha, and for other purposes".

H.B. 241. Also, H.B. No. 241 a bill to be entitled "an act to continue in the office of Justice of the Peace, C. W. Garland and L. E. Thomas," and herewith respectfully transmit the same for your favorable consideration.

John G. Holland, Clerk.

H.B. 117 Senator Harris moved that the Rules be suspended, and that House bill 117 be taken up for consideration. Agreed to.

The bill, being "an act abolishing the Court of Common Pleas of the Counties of Conway and Jackson, and disposing of all actions and proceedings pending therein"

The bill was then read a third time and placed upon its final passage.

And the question being:
Shall the bill pass?
It was decided in the affirmative.

Ayes	26
Noes	0
Not Voting	5

Those who voted in the affirmative are—Senators Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchell, Mullay, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tripplett, Watson, Whittington, Williams, Wilson & the President — 26.

None voted in the negative.

Absent and not voting were — Senators Armistead, Hampton, Judkins, Watkins and White — 5.

And so the bill passed.

Senator Harris moved that the title of the bill be made to conform to the body of the bill, which was agreed to.

On motion of Senator Tipton, the rules were suspended and he, thereupon, as chairman of the Committee on Education

S.B. 8. submitted a report on Senate bill No. 8, "an act to amend Section 62 of an act approved, 1895, entitled an act to maintain a system of Free Common Schools" and transmitted a substitute bill therefor, with its recommendation that the substitute do pass.

The substitute bill was read a first time, and, the Rules, on motion being suspended, a second time. It was then ordered that 150 copies thereof be printed, and that it be made the special order for Friday next the 28th. inst. at 11 o'clock, a.m.

Senator Kerr submitted the following which was read:

Mr President, I move that the Senate meet this evening at half past seven o'clock for the especial purpose of introducing bills, reading House bills, and hearing reports from standing committees. which was adopted.

The special order for 11 o'clock

H.B. 284. House bill 284, "an act to extend the time for the collection of taxes on the tax books of Carroll county for 1898 until the 1st day of September 1899", was taken up, read a third time and placed upon its final passage.

And the question being: Shall the bill pass? It was decided in the affirmative

Ayes	24
Nays	0
Not Voting	7

Those who voted in the affirmative are: Senators Boyd, Chasin, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hull, Kerr, Mitchell, Mulky, Pinnington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton,

Watson Whittington Williams, Wilson and the President — 24.

None voted in the negative x

Absent and not voting were Senators Armistead, Carlton, Crowley, Hampton, Judkins Walson, and White — 7

And so the bill passed x

On motion of Senator Gantt the rules were suspended, and Special Bill No 100, ordered up for consideration x

Senator Gantt moved that the amendment of the House thereto, to-wit: to strike out the words "Hot Springs" wherever they occur in the bill, be concurred in x Agreed to x

The bill was then read a third time and placed upon its final passage x

And the question being: Shall the bill pass? It was decided in the affirmative

Ayes — — —	25 —
Noes — — —	0
Not Voting — —	6

Those who voted in the affirmative are: Senators Boyd Chism Crowley Duncan, Ferguson, Gantt, Galewood Hanna Harris Hill, Kirn, Mitchell Mulky, Pennington Reid, Rutherford, Terry, Thornton Tipton, Watson White Whittington, Williams, Wilson and the President — 25

None voted in the negative x

Absent and not voting were: Senators Armistead, Carlton, Hampton, Judkins, Stanford Watkins — 6 x

And so the bill passed x

A message from the House, by John G. Holland, Esq. its Clerk, was received, and the Messenger, being invited within the bar of the Senate read as follows:

House House of Representatives,
Feby 26. 1879

Mr President: I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House of S. B. No 47 entitled "An act to abolish the office of Adjutant General, and for other purposes", and herewith respectfully return the same.

S.B. 47.

John G. Holland, Clerk.

On a special order,
Senate Bill No 110, "An act to enable the County courts of the several counties of this state to use certain moneys that may be in the treasuries of the respective counties", was taken up, read a third time and placed upon its final passage.

S.B 110.

And the question being:
Shall the bill pass?
It was decided in the affirmative

Ayes — — —	22
Noes — — —	1
Not Voting — —	8

Those who voted in the affirmative are: Senators Boyd, Chism, Duncan, Ferguson, Gantt, Gatewood, Hamm, Harris, Hill, Kerr, Mitchell, Muckey, Reid, Rutherford, Terry, Thornton, Tipton, Waters, Whittington, Williams, and Wilson and the President — 22

Senator Pennington voted in the negative.

Absent and not voting were: Senators Armistead, Carlton, Crowley, Hampton, Judkins, Stanford, Watkins, White, 8.

And so the bill passed.

S.B. 138. The next special order, Senate bill 138 was taken up read a third time and placed upon its final passage x

And the question being = Shall the bill pass? = It was decided in the affirmative

Ayes — — —	27
Noes — — —	0
not voting	"

Those who voted in the affirmative are = Senators Armistead Boyd Carlton, Chism Sorrowby Duncan Ferguson, Grant, Halwood Harina, Harris Hill, Kerr Mitchel Muckey Pennington Reid Rutherford Stanford Terry Tipton, Watson White Whittington Williams Wilson and the President — 27

None voted in the negative x

Absent and not voting were = Senators Hampton, Jiddkins, Thornton and Watkins — 4

And so the bill passed x

S.B 139 The next special order, Senate Bill 139, entitled an act to authorize the issue of bonds to provide means for carrying on the State Government" was ordered up x

Senator Terry moved that its further consideration be postponed until tomorrow after the reading of the Journal which was agreed to x

H.J.R. 1. Senator Watson moved that House Joint Resolution No 1. be taken up, and the motion being agreed to, the Resolution was then postponed for further consideration and made the special order on Friday next the 29th. inst. at 10 30 o'clock a.m.

H.C.R. 3 House Concurrent Resolution No 3. was taken up, and on motion laid on table subject to call x

H.B. 10. House Bill No. 10, an act to regulate the sale of property under "Mortgages and Deeds of Trust" was taken up, read a first time and, the rules being suspended a second time, and was then, on motion, referred to the Judiciary Committee ×

H.B. 190. House Bill, 190, was read a first time, and, under a suspension of the Rules, a second time ×

It was then, on motion of Senator Thornton, made the special order for Friday next, the 28th inst., immediately after the reading of the Journal ×

By consent the Rules were suspended, and Senator Robb offered the following resolution, which was read:

Resolved, That the Secretary of the Senate be, and he is hereby authorized to appoint some person to act as one of the assistant Secretaries of the Senate, at such times as his assistance may be needed, on account of the sickness or absence of any one of the present clerical force: Provided that the expense of the said assistant Secretary shall be defrayed by the Secretary of the Senate ×

The Resolution, on motion, was adopted ×

H.B. 137 House Bill 137, "An act to provide means to support the State Government and supply deficiencies in the Treasury" was taken up for consideration, and read a first time & and, the rules being suspended, a second time ×

It was then, on motion of Senator Remington, referred to the Committee on Finance ×

H.B. 87 House Bill No. 87, "An act to provide for building and repairing the public houses of this State," was ordered up for consideration, and read a first time ×

It was moved that the Rules be suspended, and the bill read a second time, which motion was declared lost - two-thirds of all the Senators present not voting in the affirmative x

H.B. 263. House bill No. 263, "an act changing the time for holding the semi-annual terms of the Circuit Court of Phillips County and giving Lee County an additional week at each of its semi-annual terms of the Circuit Court in the 1st Judicial Circuit", was read a first time, and, on motion, the rules being suspended, a second time x It was then on motion, referred to the Judiciary Committee x

H.B. 297. House Bill No 297 an act to prescribe the time for holding the Circuit Courts in the Eight Judicial Circuit was taken up, read a first and second and on motion referred to the Committee on Judiciary x

H.B. 298. House Bill No 298, "an act to appropriate money to pay the mileage, per diem and contingent expenses of the General Assembly" was read a first time, and the rules being suspended, a second time x

Senator Kanza moved that it be referred to the Committee on Public Expenditures x

Senator Reid moved as a substitute that it be referred to the Committee on Finance

Which motion was agreed to x

S.B. 142 On motion of Senator Judson the Rules were suspended, whereupon he introduced a bill (S.B. 142) entitled "an act making appropriations to supply deficiencies in appropriations heretofore made for the expenses of the government of the State"

The bill being read a first time,

the rules on motion were suspended when it was read a second time x

It was then, on motion of Senator Jackson referred to the Committee on Finance x

H.B. 95 The bill of the House (H.B. 95) was taken up read a first time and the rules being suspended, a second time x

Senator Chism, moved that it be made the special order for Friday next the 28th inst. at 11 o'clock a.m. agreed to x

H.B. 211 House bill no. 211 "an act to amend section 2070 of Gantt's Digest" was taken up and read a first time x

H.B. 111 House Bill 111, an act to attach the territory of Clark County to the Counties of Dallas and Nevada, and for other purposes, was ordered up and read a first time x

Senator Gantt moved that the Rules be suspended and the bill read a second time

Pending consideration of the motion Senator White moved that the Senate take a recess x which was agreed to.

And thereupon the Senate at 12 o'clock and 40 minutes took a recess until 7 o'clock and 30 minutes p.m.

After Recess x

The hour of 7 o'clock and 30 minutes having arrived, the President took his Chair and called the Senate to order x

And the roll being called it was found that the following named Senators were present and answered to their names, viz:

The President, Mr Duffie, and Senators Armistead, Boyd, Chism, Pennington, Duncan, Hanna, Kile, Reid, Rutherford, Thornton, Tipton, Watson, and White – 14

And a quorum not being present, the President directed the Secretary to again call the roll of names of the absent members

And the Call being made it appeared that the following additional named members were present in their seats and answered to their names, viz:

Senators Crowley, Gantt, Gatewood, Harris, Mulky, and Stanford ×

And a quorum announced ×

The motion pending before recess, to suspend the rules and take up for a second reading House Bill No. 111 was concurred in and the bill read a second time ×

HCB 111.

Senator Gantt moved that the bill be referred to the Committee on County and County Lines ×

Senator Reid moved as a substitute to refer it to the Judiciary Committee which was lost ×

The motion to refer to the Committee on County and County Lines was then put and adopted, and the order to be so referred ×

HCB 303

House Bill, No. 303, entitled "An act to reduce the salaries of the officers of the Executive and Judicial Departments of the State Government and to reduce the mileage & per diem of the members of the General Assembly was ordered up, and read a first time ×

It was then, on motion, and under a suspension of the rules read a second time.

Senator Duncan moved that it be referred to the Finance committee. which was agreed to.

H.B. 245 House Bill No. 245, entitled "An act to adjust the indebtedness of that portion of territory cut off from Chicot County and added to Desha County, by act No. 28 approved Feby. 10. 1879, entitled an act to change the boundary line between the Counties of Chicot and Desha".

The bill being read a first time, the rules were suspended, when it was read a second time.

It was then, on motion referred to the Committee on County and County Lines.

H.B. 241. House Bill No 241, entitled "An act to continue in office of Justice of the Peace, C. W. Garland and L. E. Thomas" was read a first time.

Senator White moved that the bill be rejected which motion was adopted.

And the introduction of Bills being declared in order,

S.B. 143. Senator Wilson introduced a bill (S.B. No. 143) entitled "An act to amend Section 1 of an act to transfer all suits and proceedings from the Pulaski Chancery Court, which relate to 16th Section lands, or to money due for said lands, and other State lands, which lie beyond the limits of Pulaski County, and for other purposes, approved January 26. 1875". Read a first time and the rules being suspended, a second time. It was then, on motion, referred to the committee on Judiciary.

S.B. 144. Senator Boyd introduced a bill (S. B. 144) entitled "an act to define the boundaries of Pulaski and Perry counties" x Read a first time x

S.B. 145 Senator Terry introduced a bill (S. B. 145) entitled "an act to prohibit the sale of any kind of ardent or vinous liquors in Grant township, Pulaski County, Arkansas" x

S.B. 146. Senator Gantt introduced a bill (S. B. No. 146) entitled "an act to amend the law regarding the perpetuation of testimony" Read a first and second time, and referred to the Judiciary Committee x

S.B. 147 Senator Duncan introduced a bill (S. B. 147) entitled "an act authorizing the Attorney General, with the approval of the Auditor to compromise and settle any cases now pending, or which may hereafter be brought in any court enjoining, or restraining the collection of taxes, in any of the counties of this state x Read a first time,

On motion the Rules were suspended and the bill read a second x It was then, on motion referred to the Committee on Judiciary x

S.B. 148 Senator Boyd introduced a bill (S. B. No. 148) entitled "an act to amend section 5 of an act entitled an act regulating proceedings in county courts in cases of Bastardy, and for other purposes. approved November 29th 1895 x Read a first time x

S.B. 149. Senator Hill introduced a bill (S. B. No. 149) entitled "an act to authorize counties to fund their indebtedness evidenced by warrants issued before the adoption of the present Constitution" x Read a first time and the Rules being suspended, a second time x It was then, on motion referred to the Committee on Judiciary x

S.B. 150 Senator Kerr, introduced a bill (S. B. No. 150) entitled "an act to simplify and

abridge the rules, practice pleadings and forms in offences less than filony in the circuit courts of this state" x Read a first time x

And then, at ten minutes to 9 o'clock P.M. the senate, on motion of Senator Terry adjourned x

M M Duffie
President of the Senate x

Attest
Lou T. Kretschman
Secy

Senate Chamber,
Thursday, February 27, 1879.

The hour of 9 o'clock and 30 minutes having arrived, the President called the Senate to order.

And the roll being called it was found that the following named members were present and answered to their names, viz:
The President, Mr Duffie, and Senators Armistead, Boyd, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris Hill, Kerr, Mitchel Mullky, Jenkins Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Waton, White Whittington Williams and Wilson.

Absent: Senators Carlton, Hampton and Watkins.

And a quorum announced.

Prayer by the Chaplain, Rev. Mr. Buchanan.

The Journal of yesterday was read, and after a correction was approved and signed.

Pending the reading of the Journal, Senator Tipton asked that the Committee on Engrossed Bills be permitted to retire for a brief time. Request granted.

SB 139 — Substitute for HB 136

Senate Bill No 139, a substitute for House Bill No. 136, and entitled "An act to authorize the issue of bonds to provide means for carrying on the State Government", being the special order immediately after the reading of the Journal, the same was ordered up for consideration. Senator Terry moved the adoption of the majority report, recommending its passage. Pending discussion thereon, Senator Reid was called to the chair.

Under the rule,
Senator Tipton, of the Committee on

engrossed bills reported back Senate Bill 110, entitled "An act regulating the sale of wines, ardent, malt or fermented liquors" as correctly engrossed ×

The President resumed the Chair ×

Upon motion of Senator Hamma the President appointed, as additional members of the Committee on Public Charities, the following named: Senators Duncan, Tipton and Mitchel ×

Senator Duncan sent to the Secretary's desk a Memorial from Citizens of the town of Searcy, White County, requesting that the Committee selected to consider the question as to the location of an Insane Asylum for the State, visit that town ×

On motion the Senator Jodkins the Memorial was, without reading, referred to the Committee on Insane Asylum ×

Senator Jodkins moved that the Senate do adjourn × Which was lost ×

And then, on motion of Senator Reid, the Senate took a recess until 7 o'clock and 30 minutes p.m.

After Recess ×

Pursuant to motion, the Senate met at 7.30 o'clock, and was called to order by the President ×

And the roll being called it was found that the following named members were present and answered to their names, viz:

The President, Mr. Duffie, and Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Gatewood, Gantt, Hamma, Harris, Heill, Jodkins, Kerr, Mitchel, Mullay, Pennington, Reid, Rutherford, Stanford, Tilley, Thornton, Tipton, Watson, White, Whittington, Williams and Wilson ×

Absent our Senators Ferguson, Hampton and Watkins ×

And a Quorum announced ×

S.B. 139. Senator Duncan moved that the question before the Senate, viz: Senate bill 139, be postponed for five minutes × Agreed to ×

Senator Duncan moved that the Special Committee on Insane Asylum be authorized to visit Searcy, White County, if deemed by them proper or best to do so, to ascertain and report upon the practicability of locating said Asylum at or near said point ×

Motion adopted ×

A message from the House was received by John G. Holland Esq. its clerk, who, being invited within the bar of the Senate read as follows =

Hall, House of Representatives
Feby. 27. 1879 ×

Mr President =

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of S.B. 102, "a bill for an act supplemental to an act to change the time for holding the Circuit Courts in the Third Judicial Circuit of the State, and for other purposes", and herewith return the same ×

S.B. 102

I am further instructed to inform you of the passage by the House of H.B. No. 115, a bill to be an act entitled an act to amend section 5098, 5099, 5100, 5102 and to repeal section 5103 of Gantt's Digest",

H.B. 115

Also, H.B. No. 210 "an act to be entitled an act to prevent obstructing the channel of Bayou Bartholomew", and herewith respectfully transmit the same for your favorable consideration

H.B. 210.

John G. Holland,
Clerk

Senator Thornton submitted the following resolution which was read, and, on motion adopted =

Resolved, That the Committee on Insane Asylum be requested to correspond with J. H. Van Horse in regard to the donation of the Ozark Institute by the citizens of Washington County for an Insane Asylum ×

Senator Hanna asked, as a question of privilege, that the Committee on Insane Asylum be permitted to retire to hold a session of said Committee × Request granted ×

The President ordered up for Consideration the minority report of the Judiciary Committee on Senate bill No. 139, (a substitute for House bill No. 736) entitled "an act to authorize the issue of bonds to provide means for carrying on the State Government"

S.B. 139. Sub. for H.B. 136.

Senator Reid called to the Chair ×

After some time spent in discussion the motion to adopt the minority report was put ×

Whereupon Senator Jenkins called for the ayes & noes on the motion × Call sustained ×

And the question being =
Shall the minority report be adopted ?

It was decided in the negative ×

Ayes ---	10
Noes ---	18
Not Voting --	3

Those who voted in the affirmative are = Senators Boyd, Gantt, Gatewood, Kerr, Rutherford, Stanford, Terry, Thornton, Watson and Whittington — 10 ×

Voting in the negative were = Senators Armistead, Carlton, Chain, Crowley, Duncan, Hanna, Harris, Hill, Jenkins, Mitchell, Muckey,

Pennington, Reid, Tipton, White, Williams, Wilson and the President — 18 x

Absent and not voting were: Senators Ferguson, Hampton and Watkins — 3 x

And so the motion did not prevail x

And the question then being on the adoption of the majority report the same was, on motion, declared adopted x

HB 136

Senator Judkins moved that the original Bill, being House bill No. 136, entitled "An act to revive the State Board of Finance and raise means to support the State Government" be read a third time and placed upon its final passage x Agreed to, and the bill read, as ordered x

Senator Boyd moved to adjourn x Motion lost x

And the question being:

Shall the bill pass?

It was decided in the affirmative x

Ayes — — —	15
Noes — — —	13
Not Voting	3

Those who voted in the affirmative are: Senators Armistead, Carlton, Crowley, Duncan, Harris, Hill, Judkins, Mickey, Pennington, Reid, Tipton, White, Williams, Wilson, and the President — 15

Voting in the negative were: Senators Boyd, Chism, Gantt, Gatewood, Hanna, Kirr, Mitchel, Rutherford, Stanford, Terry, Thornton, Watson, Whittington — 13 x

Absent and not voting were: Senators Ferguson, Hampton and Watkins — 3 x

And so the bill passed x

And then, on motion, the Senate at 11 o'clock P.M. adjourned x

Attest
Leo Kriebelmar
Secy

M M Duffie
President of Senate x

Senate Chamber
Friday, February. 28. 1879

The hour of 9 o'clock and 30 minutes A. M. having arrived, the President called the Senate to order.

And neither the Secretary, nor the Assistant Secretary being present, the Chair called upon Senator Kerr to call the Roll of the Senate.

And the roll being called, it was found that the following named members were present and answered to their names viz:
The President, Senator Duffie, and Senators Armistead, Boyd, Carlton, Chisum, Crowley, Duncan, Ferguson, Garrett, Gatewood, Hanna, Harris, Hill, Jackson, Kerr, Mitchel, Mickey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Walton, White, Whittington, Williams and Wilson.

Absent: Senators Hampton and Watkins.

On motion, the reading of the Journal was dispensed with.
Senator Reid moved that the President appoint a secretary for the Senate pro. tem. Which being agreed to

The President appointed, as such secretary, John W. Calloway Esq, who was present in the Chamber

Mr. Calloway being invited forward to the secretary's desk had administered to him the oath of office by the President.
In a short time thereafter the assistant secretary appeared at his desk and took up the business of the Senate.

On a special order for the hour of 11 o'clock A.M. yesterday, and the same having been postponed

S.B. 109. Senate Bill No. 109 was ordered up, and having been read for information was, on motion, read a third time, and placed upon its final passage. The bill is an act to regulate the sale of vinous, ardent, malt and fermented liquors.

And the question being:
Shall the bill pass?
It was decided in the affirmative.

Ayes — — — 27
Noes — — — 1
Not Voting — — 3

Those who voted in the affirmative are= Senators Armistead, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hamm, Harris, Hill, Jenkins, Kerr, Mitchell, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson and the President — 27 x

Senator Boyd voted in the negative x

Absent and not voting were= Senators Hampton, Mackey and Watkins

Out on the bill passed x

By consent Senator Kerr introduced a bill (S.B. No. 151) entitled "An act to reduce County expenses" Read a first time x

S.B. 151.

It was then, in connection with S.B. — on motion of Senator Kerr referred to the Committee on Judiciary x

S.B. —

The rules, on motion, being suspended, Senator Jenkins introduced a bill (S.B. 152) entitled "An act to provide for the election and appointment of officers and employees of the General Assembly of the State and to fix their compensation" x Read a first time; and, under a suspension of the Rules, a second time x

S.B. 152.

The bill was then, on motion of Senator Reid, referred to the Committee on Finance x

By consent, Senator was granted the privilege to submit a report which was read as follows=

Room of Senate Finance Committee,
February 26. 1879.

Mr President = Your Committee on Finance,

to whom was referred Senate Bill No. 137, "a bill to be entitled an act to provide for the payment of claims adjudged and allowed against the State of Arkansas, by the Commissioner of Claims, under the provisions of an act of the General Assembly of the State of Arkansas, approved March 28. 1891" report that they have carefully considered the same, and I am directed to report the same back to the Senate, with the following amendments, to-wit:

By striking out the words "before or" in 19th line of the 1st section, and the words "before or", in second line of 4th section; and,

By striking out that part of section 5 after the word "provided" in 4th line, and adding in lieu thereof the following:

"The cost of issuing said bonds shall be paid, pro rata out of the different judgments to be paid, the Auditor deducting from said judgments the amount pro rata, at the time of the issuing of his warrants for the payment of said judgments", - and recommend that the bill as amended do pass ×

Senator Kerr asked the privilege of offering a minority report on said bill, when the same was pertinent × Permission granted ×

The amendments to the bill were then, on motion, read a second time, and adopted ×

H.J.R. 1. The hour of 10 o'clock and 30 minutes having arrived, being the hour set apart for the consideration of House Joint Resolution No. 1. the President called up the same ×

On motion its consideration was postponed for 5 minutes ×

S.(B) 137 Senator White then moved that the majority and minority reports on Senate bill No. 137, together with the bill and amendments thereto, be made a special order for Monday next, the 3rd × proximo at 10.30 o'clock a.m. Motion agreed to ×

H. J. R. No. 1

And the special order, H. J. R. No. 1. being again called up, it was again, on motion of Senator White, postponed, till 11 o'clock a. m. to permit the presentation of reports from standing committees ×

Whereupon Senator Kerr, Chairman of the Committee on Finance, sent to the Secretary's desk, reports from said Committee with reference to bills and Resolutions, hereinafter mentioned, and with recommendations as follows:=

S. B. 153 and S. B. 3.

On Senate Bill No. 3, "An act fixing the salaries of State Officers, and per diem of members of the General Assembly" and transmitting therewith a substitute bill (S. B. 153) with the recommendation that the substitute do pass × Report read and received:

H. B. 298.

On House Bill No. 298, "an act to appropriate money to pay the mileage, per diem and contingent expenses of the General Assembly", with the recommendation that the same do pass × Report read and received

S. J. R. 2

On Senate Joint Resolution, No. 2, submitting to the qualified electors of this State Constitutional Amendment No. 1., with the recommendation that it lie on the table and for reason that all the matter contained contained therein is embraced in House Joint Resolution, now pending in the Senate, Report read and received × Reported read & received ×

S. C. R. 3.

On Senate Concurrent Resolution No 3, with an amendment, substituting "13th" in lieu of "1st", in last line, and recommending the Resolution, as amended, do pass × Report received

S. J. R. 5.

On Senate Joint Resolution No. 5, with reference to amending the Revenue and School laws of this State, with amendments as follows: "Strike out that part of the Preamble referring to the Common School Law, and all of Section 2 of the Resolution;— and recommending that the resolution as amended do pass × Report Read and received ×

Senator Kerr from the Finance Committee submitted a further report, which was read as follows =

Mr President =

Your Committee on Finance have had under consideration S. B. 120, a bill to be entitled "an act to extend the time for the collection of taxes for the year Eighteen hundred and seventy-eight, till the first Monday in August Eighteen hundred and seventy-nine"

S. B. 120,

The bill proposes to extend the time for the payment of taxes now due and being collected, to the first Monday of August next, and to extend the time for collectors to settle with the Auditor and pay into the State treasury the Revenue arising from said tax to the 20th day of October next ×

Your Committee find from the report of the State Board of Finance that there will fall due a note given by said Board for one hundred thousand dollars (borrowed money) on the 10th. of July next, and another note for the same amount, on the 12th day of August next: That in addition there will be due on the Ten Year Ten per cent bonds, and the Loughborough bonds, interest to the amount of thirty-eight thousand, three hundred and sixty dollars, making, in all, a total due shortly after the time fixed by law, for settlement of the County Collectors of two hundred and thirty-eight thousand three hundred and sixty dollars ×

Usually, laws of this kind fail to afford any real relief ×

And when it is remembered that $400.000,- double the amount borrowed in Loughborough bonds - are pledged as collateral security, with power of sale by the holders, on default of payment of the amount borrowed, the absolute necessity of providing for the prompt payment of this amount is so clear and urgent as not to need any further statement or argument to support it ×

The Committee are fully impressed with the difficulty that the majority of our citizens will experience, in

mitting the payment of the taxes now due but obligations already binding on the state, and a proper regard for our state's credit, and every consideration of policy make it practicably impossible for the General Assembly to grant the relief proposed by this bill.

Your Committee, therefore, beg leave to report the bill back, with the recommendation that it do not pass.

R. T. Kerr, Chairman.

S. B. 120.

Senator Boyd of the Finance Committee submitted a minority report on S.B. 120, which was read as follows:

To the Honorable Senate of the state of Arkansas:

Mr President: A minority of the Committee on Finance beg leave to dissent from the recommendations of the majority in their report, as to Senate Bill No. 120, referred to said Committee, extending the time for the payment of taxes, for the year 1878, until August 1st. 1878, and would recommend its favorable consideration and passage, for the reason that the condition of the people of the state, especially the producing classes, absolutely demands, at our hands, such relief as is proposed in said bill, in order to prevent the great sacrifices of property, which must inevitably result under existing circumstances.

E. L. Boyd,
C. A. Gantt,
John F. Hill.

S. B. 71.

Senator Crowley from the Judiciary Committee reported back Senate bill No 71, entitled "an act for the relief of Alvin Eubanks and Benj. M. Grambling" with the recommendation that the same do pass, it being the opinion of the Committee that it is not a local bill.

Senator Duncan of the Committee on Public Health submitted a report from said Committee, which was read as follows:

To Hon. W. M. Duffie, President of the Senate

Mr. President:

Your Committee on Public Health have had no bill referred to them, nor has any business been placed in their charge, for consideration, as yet; and your committee might be content to do nothing, but feel that their appointment involves the duty of inquiring as to facts, at least. It cannot be forgotten in this generation that the efforts which were successfully made and carried out, by the City of Little Rock, through her civic Council and Board of Health, as well as the City of Pine Bluff, in enforcing rigidly a quarantine, far beyond the limits of five miles, unauthorized by existing laws, and saved the state in the summer of 1878. It is a fact universally conceded that the quarantine regulations of this and other cities and towns of the state have saved the people from being devastated by yellow fever. The newspapers gave notice of the gradual and terrible plague, which visited the earth in the days of Thucidydes, the Greek historian, more than two thousand years ago, and of which that writer gives us such a terrible account; and which again visited the earth but a few centuries ago, in the days of Defoe, who has also left on record an account of its terrible destruction of life.

It is evident to your Committee, that it may happen within the next few months, that the total isolation of our people, by one grand quarantine may be necessary. And we feel deeply impressed with the fact, that our quarantine laws, both National and State, are sadly defective. In the opinion of experienced lawyers the powers exercised by the Board of Health and council of this city, last summer, in interfering with the transfer of property from place to place, and passage of persons, whenever encircled beyond the five miles limits were without authority of law, and subjected the officers

acting and enforcing the quarantine, and all concerned in it, as well as all who made, and directed the enforcement of the regulations liable personally in damages for false imprisonment, if any one was arrested beyond said limits, and for injuries resulting from delays or damages to property in transitu × Although public sentiment so fully sanctioned these cities and that noble band of men, who so nobly held the iron quarantine last summer, that no one has dared to bring suit for damages × Yet, it is well known that at the inception of this firm and far-reaching quarantine that saved the State last summer, that no one has dared to bring suit for ~~damages~~ prosecution which may yet be attempted ×

It is asking too much of cities and individuals to step forward and take this vast responsibility at such a great risk to themselves, and leave them liable to suits for damages, simply because our laws are not broad enough to protect them × Your Committee are of the opinion that the Quarantine laws ought to be amended so as to authorize cities of the first and second class, to establish quarantine at any point within the State, and to regulate, and when necessary to absolutely necessary to prohibit the ingress into the state, or the passage through it, of persons or property which may endanger the public health, and that the laws should give large powers to arrest, and punish a violation of any quarantine regulation, whenever made; that Congress should be memorialized to establish a perfect and efficient system of foreign and interstate quarantine, and that the interstate regulations should be so framed as to authorize all states to establish quarantine officers in other states near their borders, and to there enforce such regulations as may be necessary to protect the State so establishing its quarantine from the introduction of infections and contagious disease ×

This, your committee think necessary from the fact that they believe the energetic, efficient and successful efforts of the health officers of the City of Little Rock, located at Saint Louis and other points outside of the state, under the admirable regulations of the Board of Health of this city, contributed very materially to saving the people, not only of this state, but of Texas from the ravages of that terrible disease, Yellow Fever, that prevailed upon our borders. Your committee are aware that the efficiency of this interstate quarantine was greatly due to the several interstate lines of communication, and being in many instances without authority of law, these efforts which were so necessary and successful might have been entirely prohibited, or at least have been rendered ineffectual, if they ~~would~~ been resisted by the managers of these lines of transportation.

Your committee will cheerfully prepare and present any bill to this Senate or any Memorial looking to the objects indicated in this report, if authorized and directed; but feel that, in the absence of any instruction or indication as to the sense of the Senate, that it would be obtrusive to act in advance.

All of which is respectfully submitted for the consideration of your Honorable body.

J. W. Duncan,
C. A. Gantt,
H. C. Tipton,
H. B. Armistead,
M. J. Mulkey.

On motion of Senator Terry the Committee on Public Health were instructed to introduce a bill as to the matters and suggestions in their report.

S. B. 77.

Senator Wilson, Chairman of the Judiciary Committee submitted a report on Senate Bill No. 77, "an act to remedy defects,

in Trustees' and Commissioners' sale" and recommended that it do not pass × Report received ×

HS R No 1

The time to which the special order had been postponed, having arrived,

Senator White moved that it be further postponed until 7.30 o'clock this evening ×

Motion agreed to ×

Other special orders of the hour coming up,

Senator Watson moved that all special orders be postponed for 15 minutes × Which was agreed to ×

Senator Jenkins of the Finance Committee submitted a report on House Bill No 303, entitled "an act to reduce the salaries of the officers of the Executive and Judicial Departments of the state Government, and to reduce the Mileage and per diem of the members of the General Assembly." and returned the same with the recommendation that it do not pass × Report received ×

HB 303.

Senator Wilson, chairman of the Judiciary Committee, reports on bills, and recommendations as stated below=

On Senate bill No. 60; "an act prohibiting the removal from the premises, of crops, upon which liens exist", transmitting a substitute therefor, and recommending the passage of said substitute × Report received ×

S B. 60.

On Senate bill No. 130; "an act to prescribe the manner in which circuit courts may decree the adoption of children, and change the names of the same" and recommending the passage of the bill with the following amendment to-wit=

S. B. 130.

Section 5.— "That when such child shall arrive at the age of sixteen years, he or she may, by a next friend, file in the

proper court a complaint against the person adopting such child, praying that such decree be set aside, and if the court be of opinion that such prayer should be granted, such decree shall be set aside, and the plaintiff restored to his or her former name x Amendment read a first time" x

A.B. 135 On Senate Bill No. 135, "an act to render effectual the provisions of the Constitution against usurious contracts" and recommending its passage x Report received x

S.B. 42 On Senate Bill No 42, "an act to repeal certain sections of an act fixing regular terms of holding County Courts, and the salaries of County Judges, and per diem pay of associate Justices" and recommending its passage with an amendment as follows, to-wit:

"In section 9 strike out the words 'four hundred', and insert 'seven hundred'" Amendment read a first time x

A.B. 140 Senator Carlton, from the Finance Committee, submitted a report on Senate bill No. 140, "an act to Prohibit the Auditor and Treasurer of the State of Arkansas from carrying forward on their books, and in their reports of their statements of the public debt of the State, the bonds heretofore issued by the State to aid in the building of Railroads, and levees &c" and recommended that the same do not pass x

Report Received x

A.B. 133. Senator Carlton from the Committee on Judiciary submitted a report on Senate Bill No. 133, "an act to provide for appeals from the final orders and judgments of the Mayor's Courts in cities of the second class, and recommended that the same do pass x

Report received x

S. B. 47 & 100.

Senator Hill, chairman of the Committee on Enrolled bills, reported back as correctly enrolled, Senate bills Nos. 47, and 100 ×

Senator Whittington, chairman of the Committee on Railroads and Other Improvements, submitted a report which was read as follows =

Mr. President =

S. B. 59.

Your Committee to whom was referred Senate Bill No. 59, as ordered, have had the same under consideration, and I am directed to report the bill, substitute, and amendments back, with the recommendation that the original bill, amended by striking out Clay, Green, Craighead and St. Francis Counties, from the operation of said bill do pass ×

Report received and amendment read a first time ×

Senator Whittington also submitted a further report, which was read as follows =

Mr. President =

S. B. 123.

Your Committee on Railroads recommend the passage of Senate bill No 123, a bill for an act authorizing Railroad companies to construct bridges for highway travel, as well as for railroad purposes, and to collect tolls for same, with the following amendment to section 2. to-wit =

"Provided, It shall be the duty of such railroad corporation to keep such bridges in good repair, at all times, so as to accommodate travel without unnecessary delay; and if such corporation fail or refuse to comply with this provision of this act, such corporation shall be liable to the party injured, in double the damages sustained, by reason of such neglect or refusal, to be recovered by action of debt, in any Court having competent jurisdiction ×

Report received and amendment read a first time ×

On motion, the rules were suspended, and the amendment read a second time ×

Senator Duncan moved that the bill be ordered engrossed, and made the special order for Tuesday next, the 4th proximo, at 11 o'clock a.m. ×

Which was agreed to ×

Senator Whittington presented a further report from the same Committee, recommending the passage of House Bill No. 40. entitled "an act to donate certain lands to the Washington and Hope Railway Company ×

H. B. 40

Report received ×

Senator Hanna chairman of the Committee on Constitutional Amendments submitted a report which was read as follows =

Mr. President =

Your Joint Committee on Constitutional Amendments, have instructed me to report that no less than twenty (20) proposed amendments to the present Constitution, have been referred to said Committee for consideration, which, either demonstrates a great diversity of opinion existing in the minds of the members of the General Assembly, or a necessity for numerous amendments to our fundamental ×

Your Committee, after mature thought, concludes the latter proposition to be true, and that no considerable good can result from a submission to the people of the limited number of amendments authorized by the Constitution;

Wherefore, the accompanying Concurrent Resolution is most respectfully submitted by your Committee, and its adoption earnestly recommended =

S.C.R. 4. Accompanying the report was a Concurrent Resolution (S. C. R. 70. 4) providing for the appointment of a Commission of five to frame a new Constitution to be submitted to the people, said Commission to consist of

Resolution read, but no action taken thereon ×

H. B. 245 Senator Pennington, Chairman of the Committee on County and County Lines reported back, and recommended the passage of House Bill No. 245, entitled "an act to adjust the indebtedness of that portion of territory cut off from Chicot County, and attached to Desha County, by act No. 28, approved February 10. 1879, entitled "an act to change the boundary line of between the Counties of Chicot and Desha, and for other purposes" ×

Report received ×

H. B. 95. Senator Chism asked unanimous consent to call up House Bill No. 95, "a bill for an act to be entitled an act to repeal an act entitled an act to repeal an act entitled an act, declaring the Petit Jean Creek a navigable stream, approved January 10. 1861 × which motion was agreed to ×

Senator Boyd moved that the bill be referred to the Finance Committee × motion lost ×

Senator Terry moved that it be referred to the Committee on railroads × and other Improvements ×

Senator White moved as a substitute that the bill be read a third time, and placed upon its final passage × which was agreed to ×

Discussion ensued, and by Consent Senator Boyd read some portions against the passage of the bill, and papers relating to

the navigability of the stream x

The bill was read a third time; and the question being=
Shall the Bill pass?
It was decided in the affirmative?

Ayes — — —	22
Noes — — —	8
Not Voting — —	1

Those who voted in the affirmative are = Senators Armistead, Chisin, Crowley, Carlton, Ferguson, Gatewood, Hampton Hanna, Jadkins Kerr, Mitchel, Mulky, Reid Rutherford, Terry, Thornton, Tipton, Walton, White Whittington, Williams and Wilson — 22x

Voting in the negative were = Senators Boyd, Duncan, Gantt, Harris Hill Pennington, Stanford and the President — 8x

Absent and not voting = Senator Watkins — 1 x

And so the bill passed x

Senator White moved to reconsider the vote by which the bill passed and moved to lay said motion on the table x

And on this latter motion Senator Boyd called for the ayes and noes, which call was sustained x

And the question being
Shall the motion to reconsider lie upon the table?
It was decided in the negative

Ayes — — —	11
Noes — — —	18
Not Voting — —	2

Those who voted in the affirmative are = Senators Armistead Chisin, Ferguson, Hampton, Jadkins, Mulky. Reid, Tipton, Watson, White, Williams — 11x

Voting in the negative were = Senators Boyd, Carlton, Crowley, Duncan, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchel, Pennington, Rutherford, Stanford, Terry, Thornton, Whittington and the President — 18 x

Absent and not voting = Senators Watkins and Wilson — 2 x

And so the motion to table did not prevail x

Senator Terry who, on the passage of the bill, but before the vote thereon had been announced, changed his vote from "nay" to "aye", then gave notice that he would move a reconsideration of the vote by which the had passed x

Senator Kerr asked permission to withdraw the petition, some days ago presented by him, for the relief of Geo. C. Kirby x Request granted, and the petition withdrawn x

H.B. 190. The bill of the House, (H.B. 190) entitled "An act to amend sections 1 and 2 of an act entitled an act to prohibit the sale of vinous or alcoholic liquors within a distance of three miles of the town of El Dorado, in the County of Union approved, March 6. 1899", being one of the special order of the day, was called up, read a third time and placed upon its final passage x

And the question being = Shall the bill pass? It was decided in the affirmative

Ayes — — —	26
Noes — — —	2
Not Voting — —	3

Those who voted in the affirmative are = Senators Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Hampton, Hanna, Hill, Judkins, Kerr, Mitchel, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams, and the President — 26 x

Voting in the negative were: Senators Gatewood and Harris — 2 x

Absent and not voting were: Senators Muckey, Watkins and Wilson — 3 x

And so the bill passed x

S. B. 141

Senate Bill No. 141, the next special order was ordered to be taken up for consideration x

And the Secretary stating that the bill was in the hands of the printer,

Senator Boyd moved that it be made the special order for Monday next the 3rd proximo x

Which motion was agreed to.

Sen White moved that the Senate do adjourn x Lost x

Senator Gantt moved that the Senate take a recess until 7 o'clock p.m. which was agreed to x

And then, at 12 o'clock and 45 minutes, the Senate took a recess until 7.30 o'clock this evening x

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After Recess

The hour of 7 o'clock and 30 minutes having arrived the President called the Senate to order x

And the Roll being called, it was found that the following named members were present and answered to their names, viz: The President, Mr. Stubbs, and Senators

Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Jadkins, Kirr, Mitchel, Mucky, Pennington, Rick, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, ~~Williams~~, Williams, Wilson and the President.

Absent now = Senators Hampton and Watkins.

S.B. 155

On motion of Senator Galewood the Rules were suspended, when he introduced a bill, (S.B. No. 155) entitled "an act supplemental to an act changing the time of holding the Court in the 6th. Judicial Circuit of the State of Arkansas". Read a first time, and, under a suspension of the Rules, a second time.

It was then, on motion of Senator Gatewood made a special order for tomorrow at 10 o'clock, a.m.

On motion of Senator the Courtesies of the floor were extended to Patterson of Izard County.

The Rules, on motion of Senator Jadkins, being suspended,

Senator Hill introduced a Memorial to the Congress of the United States praying that the surviving Soldiers of the Mexican war, and the widows of those deceased be granted pensions.

Memorial read and referred to the Committee on Memorials.

S.B. 156.

On motion of Senator Terry the special order of the evening was again postponed to permit him to introduce a bill (S.B. No. 156) entitled "an act for the relief of S.L. Holman". Read a first time, and, the Rules being suspended, a second time.

It was then, on motion, referred to the Committee on Claims.

The special order, on motion was further postponed;

Senator Crowley on behalf of himself and other members of the Finance Committee submitted the following which was read =

Mr President =

The undersigned members of the Committee on Finance, to whom was referred S. B. No. 137, offered as a substitute for Senate Bill No. 92, entitled "An act to provide for the payment of claims adjudged and allowed against the State of Arkansas, by the Commission of claims, under the provisions of an act of the General Assembly of the State of Arkansas, approved March 28th. 1871" being unable to agree with the conclusions of the majority of the Committee, beg leave to offer the following reasons for their dissent:

S. B. 137.

These claims were allowed upon testimony taken before Justices of the Peace designated by the Commissioner. The evidence was altogether ex-parte; the State was not represented by any person as counsel; the bill proposes to limit the allowance and payment of claims to those allowed by the Commissioner appointed under the act approved March 28th of 1871; the claimant had to in order to have his claim considered "beli" his affidavit that he had not aided the secession or the overthrow or counselled or advised the overthrow of the Government of the State, as established under said Constitution, that he has not been member of any party or organization, which has for its object the overthrow of said Government and the resistance of the laws thereof; and that he did not in any manner, directly or indirectly, participate in the resistance of the laws of the State, to suppress which, said military forces were called into service

It is believed that there are other claims of equal merit that have never been presented, if the precedent is once made there can be no time when the amount of these claims will be satisfied.

It may be understood that it will not reach at the amount fixed in this bill, large though this

It is impossible to go back and remedy all the wrongs outrages and losses that our citizens have suffered either directly or indirectly in consequence of the war between the States and so called reconstruction.

The State government under which these claims originated however it may in strict terms of law be held the de facto government of Arkansas, was imitated and in truth simply an usurpation; it was not a government of the people.

There can be no doubt of the loss of much property to many citizens by the military raids and in some cases attended with circumstances that appeal strongly for relief, but these were not the only sufferers by the action of a government that was then the State government.

Some seventeen millions of the State Revenues were expended and debt created an unknown amount certainly equal and probably superior to this large sum was expended in the way of revenues and debt creating in the counties much of which remains in the form of old debts to harrass and trouble them to this day so that in despair, in one instance at least, self destruction is invoked as the only remedy for these intolerable burdens.

The counties were officered and managed chiefly by appointments of the same State Government which sent out militia to prey upon the people.

The former were scarcely less rapacious than the latter.

It is utterly useless and hopeless for Arkansas to undertake to right the wrongs and repair the losses of her citizens even since the close of the war. To attempt to do so would at once invite and assume the speedy bankruptcy of the State. Arkansas has all she can do to provide for present and pressing necessities. The dead past must bury its dead, or wait for a more convenient season.

But admit that these claims are a just and legal part of the debt of the State, does this legislature believe that time for providing for the payment of that debt has arrived? If the finding of the Commissioners are just and amounts due parties are ascertained and the evidence is preserved as a part of the official records and the holders of these claims can afford to wait

such time as the General Assembly may deem proper to undertake the payment of other debts certainly of equal validity and of much longer standing.

That the claims are due to citizens and the great majority of them would not have said Bonds because said bonds are not money of money value, and they will sell them for first what they can get, and their maturity being twenty years and the interest at 4 per cent it will give them but little value in the money centers of the country. Consequently the parties who lost the property will get but little of value for it, as they will be forced to sell them to Bankers, Brokers or Capitalists, as Merchants, Grocers and druggists will have no use for them, and it will tend to enrich the wealthy and impoverish the entire State, as it will be a large bond debt hanging over her for two years to come and at the maturity of said Bonds, the State will have paid and will have paid and will have to pay over half a million of dollars or $640.000.

Thereupon the undersigned respectfully recommend that the bill do not pass

Signed
R. T. Kerr
B. F. Crawley
O. H. Neill

HJR No. 1

The special order for the morning, House Joint Resolution No. 1. providing for the submitting to a vote of the people of an amendment to the Constitution, forever prohibiting the levying of any tax for the payment of the principal or interest of any of the bonds known as "the Healford Bonds", "the Railroad Aid Bonds", and "The Levee Bonds" was then ordered up for consideration x and the same being read,

Senator Terry asked, and was given permission to withdraw his amendment to the Resolution, heretofore offered, and to substitute therefor the following provision, to be added to the Resolution, to-wit:

"Provided, that nothing herein contained shall be construed as a prohibition against the payment of such part of the Healford Bonds, as may be decided to be just and legal by the Courts of the state, if such decision should be made" x

The amendment was read a first time, and under a suspension of the Rules, a second time x and then Senator Judkins moved that it be adopted x

On motion of Senator Armistead the Hon Benj. F. Askew was invited to a seat on the floor x

Pending discussion on the motion to adopt the amendment, Senator Boyd was called to the chair x

Senator Gantt moved that the Senate do adjourn x Lost x

after much further debate, Senator Gatewood moved that the Senate adjourn which was also lost x

The President resumed the chair x

The motion to adopt the Resolution being put, Senator Judkins called for the ayes and noes thereon, which call was sustained x

And the question being =
Shall the Amendment be adopted?
It was decided in the affirmative

Ayes ---	15
Nays ---	14
Not Voting --	2

Those who voted in the affirmative are = Senators Carlton, Chism, Crowley, Hanna, Harris, Jenkins, Mickey, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, White and Whittington — 15 x

Voting in the negative were = Senators Armistead, Boyd, Duncan, Ferguson, Gantt, Gatewood, Heill, Kerr, Mitchell, Pennington, Watson, Williams, Wilson, and the President — 14

Absent and not voting were = Senators Hampton and Watkins — 2

And so the amendment was adopted x

Sen White moved that the Resolution as amended be adopted x

Which motion the President declared out of order as no measure nor amendment thereto, could, under the Constitution be read three times, on the same day x

And then, on motion, the Senate, at 12 oclock and 15 minutes a.m. adjourned x

M M Duffie
President of the Senate x

Attest,
Lee T. Katzenmeyer
Secy

Senate Chamber,
Saturday, March 1st. 1879

The hour of 9.30 o'clock, a.m. having arrived, the President called the Senate to order.

And the roll being called it appeared that the following named members were present and answered to their names, viz=

The President, Mr. Duffie, and Senators Armistead, T. Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, McKay, Reid, Rutherford, Stanford, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson.

Absent, were Senators Chism, Hampton, Mitchel, Pennington, Terry, Watkins.

And a quorum announced.

Prayer by the Chaplain.

The Journal of yesterday was read, and there being no objection thereto it was approved and signed.

On motion of Senator Kerr Senator Chism was granted leave of absence until Tuesday next the 4th. inst, and on motion of Senator Thornton Senator Mitchel was granted leave of absence until the same day.

H. B. 283. Under a suspension of the Rules, Senator Thornton moved that the House be requested to return the Senate report on H. B. No. 283, in order that the same may be perfected. Motion agreed to,

S. B. 155. The special order for 10 o'clock a.m. was ordered up, it being Senate Bill 155, "an act supplemental to an act changing the time of holding the Court in the 6th Judicial Circuit of the State of Arkansas," and was read a third time & placed upon its final passage.

And the question being:
Shall the Bill pass?
It was decided in the affirmative.

Ayes	22
Noes	0
Not Voting	9

Those who voted in the affirmative are: Senators Armistead, Boyd, Carlton, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Judkins, Kerr, Mackey, Reid, Rutherford, Stanford, Tipton, White, Whittington, Williams, Wilson, and the President — 22.

None voted in the negative.

Absent and not voting were: Senators Chrisman, Hampton, Mitchel, Pennington, Terry, Thornton, Watkins and Watson — 8.

Senator Crowley was excused from voting — 1.

And so the bill passed.

H.J.R. No. 1. Upon the Rules, House Joint Resolution No 1. submitting to a vote of the people, an amendment to the Constitution, forever prohibiting the levying of any tax, for the payment of the principal or interest of any of the bonds known as "the Holford Bonds", "The Railroad Aid Bonds" and "The Levee Bonds", was taken up, read a third time and placed upon its final passage.

And the Question being:
Shall the Resolution be adopted?
It was decided in the affirmative.

Ayes	19
Noes	6
Not Voting	6

Those who voted in the affirmative are: Senators Armistead, Boyd, Duncan, Gantt, Hanna, Hill, Judkins, Kerr, Reid, Rutherford, Stanford, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson and the President — 19.

Voting in the ~~affirmative~~ negative were: Senators Carlton, Crowley, Ferguson, Gatewood, Harris, Mulkey — 6 ×

Absent and not voting were = Senators Chism, Hampton, Mitchell, Pennington, Terry and Watkins — 6 ×

And so the bill passed ×

H. B. 115. On motion of Senator Whittington, the Rules were suspended and House Bill No. 115 was taken up, read a first time, and under a suspension of the Rules, a second time ×

Senator Carlton moved to amend by providing that the Assessors in the several counties of this state shall appraise and assess for taxation all farms and plantations, and all other industries in this state, according to their net income provided such net income shall not be less than 25 per cent of their gross receipts for each year in which they are taxed ×

Amendment read a first and second time ×

Senator Reid moved that the bill and amendments be referred to the Judiciary Committee × which was agreed to ×

Senator Jackins moved that the regular order of business be dispensed with, and the introduction of bills be declared in order which motion was agreed to ×

S. B. 157. And Senator White introduced a bill (S. B. 157.) entitled "an act to amend an act entitled an act to maintain a system of Free common schools for the state of Arkansas, approved Mar 7. 1875" × Read a first time and the rules being suspended, a second time ×

It was then, on motion of Senator White, referred to the Committee on Judiciary ×

A message from the House was received by John G. Holland Esq. its Clerk, and the messenger having been invited within the bar of the Senate, read as follows =

Hall House of Representatives,
March 1. 1879.

Mr. President =

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No. 11. "an act to amend section 4644 of Gantt's Digest of the statutes of the State of Arkansas" and herewith respectfully return the same.

S.B. 11.

I am also instructed to inform you of the passage of H.B. No. 102, a bill for an act to be entitled an act regulating the compensation of the clerk of Union County" also;

H.B. 102.

H.B. 172. H.B. No. 172, "an act entitled an act for the benefit of the Fort Smith District High school, located at Boonville, in the County of Logan" also;

H.B. 181. H.B. 181, "an act to amend sections 1. 2, and 3 and to repeal section 3 of an act entitled an act amendatory of existing laws, regulating the sale of the lands of the State, approved December 15. 1875" also;

H.B. 183. House Bill No. 183, "a bill to be entitled an act to amend an act to regulate the letting of Public contracts, approved 28th. November, 1874" also;

H.B. 254 H.B. 254, "an act to be entitled an act to restore docket entries and papers of Justices of the Peace when lost or destroyed".

I am also instructed to return to you H.B. No 283, "a bill to be entitled an act to amend an act entitled an act for the benefit of Pleasant Ridge Academy, in Bradley County, approved January 10. 1861, and herewith respectfully transmit the same for your favorable consideration.

H.B. 283.

John G. Hallum, Clerk.

Senator Jenkins called to the chair.

Senator Crowley introduced a bill (S.B. 158) "an act to authorize the Commissioner of State Lands to settle by compromise the conflicts of title between the State and railroad companies to selected and unapproved swamp and overflowed lands" Read a first time, and, under a suspension of the rules, a second time.

S.B. 158.

On motion of Senator Crowley the bill was made a special order for Monday next, the 3rd inst. at 11 o'clock, a.m.×

S.B. 159. Senator White introduced a bill (S.B. 159) entitled "an act to amend Section 55 of an act of the General Assembly of the State of Arkansas entitled an act to maintain a system of Free Common Schools of the state of Arkansas, approved Dec. 7. 1875"× Read a first time, and, the Rules being suspended, a second time ×

The bill was then, on motion of Senator White, referred to the Judiciary Committee ×

S.B. 160 Senator White introduced a further bill (S.B. 160) entitled "an act to amend section 48 of an act entitled an act for the incorporation, organization and Government of municipal Incorporations, approved March 9. 1875"× Read a first time, and the rules being suspended a second time × It was then on motion of Senator White, referred to ~~Judiciary~~ Committee × on Corporations

S.B. 161. Senator Kerr introduced a bill (S.B. 161) entitled "an act to define the 11th Judicial Circuit and to fix the times for holding the Circuit Courts therein"× Read a first time, and, the Rules being suspended a second time ×

Senator White moved that the bill be referred to the Judiciary Committee × agreed to ×

The President resumed the chair ×

S.B. 42. Senator Harris moved that the Rules be suspended, and that Senate Bill No 42, be called up for consideration × Motion lost ×

S.B. 162 Senator Carlton introduced a bill (S.B. 162) entitled "an act to adjust and settle the accounts of R.C. Newton, late Treasurer of the state of Arkansas × Read a first time and under a suspension of the rules a second time ×

Senator White introduced a substitute bill (S.B. 163) for the one just read, entitled an act for the relief of R. C. Newton and his securities on his bond as Treasurer × Read a first and second time ×

S.B. 163.

On motion of Senator Armistead both bills, viz: Senate bills 162 & 163 were referred to the committee on Finance ×

Senate White moved that the Senate do adjourn × Lost ×

Senator Boyd introduced a bill (S.B. 164) entitled "an act to authorize the bonding of the outstanding debt of Faulkner County at the adoption of the present Constitution" × Read a first time, and the rules being suspended a second time ×

S.B. 164

Senator Hanna moved to amend the bill by striking out the words "six per cent" wherever the same occur in the bill, and inserting in lieu thereof the words "seven per cent" ×

Amendments read a first and second time and with the bill ordered to their place on the calendar ×

S.B. 95

Senator Terry moved that the motion to reconsider the vote by which Senate bill No. 95, had been passed, be made a special order for Tuesday next, the 4th. inst. at 11 o'clock a.m. agreed to ×

Senator Crowley introduced a bill, (S.B. 165) entitled "an act to repeal the donation and redemption of forfeited lands, and to repeal section 3905, 3906, 3907 and 3908 of Gantt's Digest, and for other purposes × Read a first time ×

S.B. 165

A motion by senator Crowley that the bill be read a second time was declared lost

Senator Hill, chairman of the Committee on Enrolled bills, reported back Senate bill No. 102. as correctly Enrolled

Senator Wilson, chairman of the Committee on Judiciary, sent to the Secretary's desk a number of reports on the bills whose numbers are as follows, and which reports were, on motion, received without reading:

S.B. 85. On Senate Bill No. 85, recommending the passage of a substitute ~~a substitute~~ therefor.

H.B. 263. On House Bill No. 263, recommending its passage.

S.B. 143. On Senate Bill No. 143, recommending its passage

S.B. 122 On Senate No 121, without recommendation.

S.B. 126 On Senate Bill No. 126, recommending its passage.

S.B. 94. On Senate bill No. 94, recommending the passage of a substitute bill therefor.

Senator Thornton moved that the Senate do adjourn.

And the motion being declared lost,

Senator Reid moved for a call of the House.

And the roll being called it appeared that the following named members were present, viz: The President, Mr. Duffie, and Senators Armistead, Boyd, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hamm, Hill Reid, Rutherford, Terry, Tipton, Watson, and Wilson.

And a quorum announced

S.B. 166 Senator Hanna introduced a bill (S. B. 166) "An act to amend section 3605 of chapter 79, Gantt's Digest of the statutes of Arkansas."

Read a first and second time, and, on motion of Senator Hanna referred to the Judiciary Committee.

On motion of Senator Reid the Pages, and on motion of Senator Armistead the janitor of the Senate were excused for the balance of the day.

Senator Thornton moved that the Senate adjourn. Lost.

Senator Tipton moved that the Senate take a recess till 2 o'clock and 30 minutes

Which was also declared lost.

S.B. 167. Senator Ferry introduced a bill (S. B. 167) entitled "An act to amend an act entitled an act securing liens to mechanics, laborers and others, approved April 25, 1873". Read a first time.

And then, on motion of Senator Duncan, the Senate at 12 o'clock and 15 minutes p.m. adjourned until Monday morning at 9 o'clock and 30 minutes a.m.

M. M. Duffie
President of Senate.

Attest:
Lee F. Katzenstein
Secy.

Senate Chamber,
Monday, March 3. 1879 ×

The hour of 9 o'clock and Thirty minutes having arrived, the President called the Senate to order ×

And the roll being called, it was found that the following named members were present and answered to their names, viz:

The President Mr Duffie, and Senators Armistead, Boyd, Crowley, Duncan Ferguson, Gantt Gatewood, Hanna, Harris, Hill, Kerr, Mitchell, Mulky, Pennington, Reid, Rutherford, Stanford Terry, Thornton, Tipton, Watson, White, Whittington, and Williams and Jenkins ×

Absent were Senators Carlton Chism, Hampton, and Watkins ×

Prayer by the Chaplain ×

The Journal of Saturday was read, there being no objection thereto was approved and signed ×

But pending its reading Senator Reid moved that the reading be dispensed with

Senator Gatewood moved to amend by providing that the Journals be referred to the Committee on Journals × amendment accepted ×

And then, the motion as amended, was put and lost ×

By consent, Senator Reid submitted a resolution, which was read as follows:

Resolved, That when the Senate adjourn it shall be to 9. a.m. of the next succeeding day, unless another day and hour be specifically named ×

On the passage of the Resolution the ayes and noes were called for, and the call sustained.

And the question being, shall the Resolution be adopted?

It was decided in the negative two-thirds of the Senators present not voting therefor x

Ayes --- 13 x
Noes --- 12
Not Voting -- 6

Those who voted in the affirmative are = Senators Armistead Gantt Gatewood, Hill Reid Rutherford, Thornton, Tipton, Watson, Whittington Williams Wilson and the President - 13

Voting in the negative were = Senators Boyd, Crowley, Duncan, Ferguson, Hanna Harris, Kirr, Mitchel, Mulky, Pennington, Stanford, Terry — 12 x

Absent and not voting were Senators Carlton, Chism, Hampton, Judkins, Watkins, White — 6 x

And so the resolution was rejected x

Senator Gatewood offered a resolution which was read as follows =

Resolved that Rule seven (7) of the Rules for the government of the Senate of Arkansas be so amended as to read as follows, to wit. "No member shall speak more than once, and then only for ten minutes to any one question, without unanimous consent of the Senate, except a motion to amend or substitute be made, when he may speak to the amendment or substitute, not exceeding ten minutes" x

Senator Thornton moved to strike out the word "ten" wherever it occurs in the bill, and insert the word "five" in lieu thereof x

Senator White moved to lay the resolution on the table, on which motion Senator Gatewood called for the ayes and noes and Call sustained.

And the question being = Shall the Resolution be laid upon the table

It was decided in the negative.

Ayes — — — 5.
Noes — — — 20
Not Voting — — 6

Those who voted in the affirmative are = Senators Boyd, Harris, Mulkey, White and Williams — 5.

Voting in the negative were = Senators Armistead, Crosby, Ferguson, Gantt, Gatewood, Hanna, Hill, Kerr, Mitchel, Pennington, Reid Rutherford, Stanford Terry, Thornton, Tipton, Walsh, Whittington, Wilson and the President — 20.

Absent and not voting were = Senators Carlton Chism, Duncan, Hampton, Jenkins, and Watkins — 6

And so the motion did not prevail.

Senator Terry offered the following amendment by adding the following to Rule 7, and as a substitute for the Resolution =

Provided, that no member be allowed to speak more than twenty minutes without unanimous consent. Motion lost.

The motion of Senator Thornton, to strike out of the Resolution the word "ten" and insert in lieu thereof, the word "five" was then put and adopted.

Senator Whittington moved, as an amendment to the Resolution, by allowing twenty minutes time to the introducer of a bill or resolution. Motion lost.

On the motion to adopt the Resolution as amended the ayes and noes were called, and the call sustained x

And the question being = Shall the Resolution be adopted? It was decided in the affirmative x

Ayes --- 17
Noes --- 8
Not Voting -- 6

Those who voted in the affirmative are = Senators Armistead, Crowley, Ferguson, Gantt Gatewood, Hanna, Hill, Mitchel, Pennington, Reid, Rutherford, Stanford, Thornton, Tipton, Williams, Wilson and the President — 17

Voting in the negative were = Senators Boyd, Harris Kerr, Mahey, Terry, Walton, White and Whittington — 8

Absent and not voting were = Senators Carlton, Chism, Hampton, Judkins, and Watkins — 6 x

On motion of Senator Mitchel the courtesies of the floor were extended to the Hon G. O. Roydton of Hempstead County x

Senator Crowley presented a petition from citizens of Craighead asking for the passage of a law that will in some degree free the country from the evils of intemperance x

On motion the petition was referred to the Committee on Liquor traffic and licenses to be considered in connection with H. B. 138 x

H.B. 298. Senator Reid moved that the Rules be suspended, and H.B. 298 be taken up for consideration × agreed to

The bill, entitled "an act to appropriate money to pay the mileage, per diem, and contingent expenses of the General assembly" was then, on motion of Senator Reid, read a third time and placed upon its final passage ×

And the question being=
Shall the bill pass?
It was decided in the affirmative

Ayes — — —	22
Noes — — —	3
Not Voting — —	6

Those who voted in the affirmative are Senators Armistead, Boyd, Crowley, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchel, Nunley, Pennington, Reid, Rutherford, Stanford, Terry, Tipton, White, Whittington, Wilson and the President — 22

Voting in the negative were= Senators Thornton, Watson and Williams — 3

absent and not voting were= Senators Carlton, Chism, Duncan, Hampton, Judkins, and Watkins — 6

And so the bill passed ×

H.B. 303. Senator Watson moved to suspend the Rules, and take up House Bill No 303, entitled "an act to reduce the salaries of the officers of the Executive and Judicial departments of the State Government and to reduce the mileage and per diem of the members of the General Assembly" × agreed to ×

The bill being before the Senate, Senator White moved that the report of the Committee, recommending its rejection, be adopted × On which motion the ayes & noes were called & the call sustained ×

and the question being=
Shall the report be adopted
It was decided in the affirmative ×

Ayes — — —	14
Noes — — —	~~12~~ 11
not Voting — —	5

Those who voted in the affirmative are= Senators Armistead, Crowley Gantt, ~~Hawn~~ Hill, Judkins, Mackey, Reid, Stanford Terry, Thornton, White Whittington, Williams and Wilson — 14 ×

Voting in the negative were= Senators Boyd, Ferguson, Gatewood Hanna, Harris Kirr, Mitchel, Pennington, Rutherford, Tipton, Watson — ~~10~~ × 11

Absent and not voting were= Senators Carlton, Chism, Duncan, Hampton, Watkins — 5

And so the bill was rejected ×

The hour of 10 o'clock and 30 minutes having arrived,

S. B. 153

Senator White moved that the special order for that hour be postponed, and that Senate Bill No. 133 be taken up for consideration × Motion agreed to ×

The bill was then read a first time, and the rules being suspended a second time × its title being

Senator White ~~offered~~ moved to amend the 8th subdivision of Sect one by adding thereto the following= "The Judges of the Circuit and Pulaski Chancery courts ×

Amendment read twice, and, on motion adopted ×

Senator Terry moved to amend section 1, as follows=

"That at each session of the General assembly, the roll of members shall be called, in each House, for the purpose of fixing the per diem of members, and, upon such call each member shall name the amount of his per diem for such session, not exceeding six dollars, nor less than one dollar and a half, and the amount so named shall be the per diem of the member so naming it, and shall be certified to the auditor as the per diem of such member" x

The amendment having been read a first time,

Senator Armistead moved that it be rejected x

and on that motion the ayes and nays were called, and the call sustained x

And the question being = Shall the Amendment be rejected? It was decided in the negative x

Ayes — — —	6
Nays — — —	20
Not Voting —	0 —

Those who voted in the affirmative, are = Senators Armistead, Kerr, Mitchel, Pennington, Wilson and the President — 6 x

Voting in the negative were = Senators Boyd, Crowley, Ferguson, Gantt, Gatewood Hedman, Harris, Hall, Judkins, Mickey Reid Rutherford, Stanford, Terry, Thornton, Tipton Watson, White, Whittington and Williams — 20

Absent and not voting are = Senators Carlton, Chisem, Duncan, Hampton and Watkins — 5 x

And so the motion to reject did not prevail x

A message from the House was received by John G. Holland Esq. its Secretary, who, being invited within the bar of the senate read as follows =

House, House of Representatives
March 3. 1879 ×

Mr President =

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. B. No. 319 "a bill to be entitled an act to protect the public revenue from the fraudulent acts of county officials and other purposes;" and herewith respectfully transmit the same for your favorable consideration ×

H.B. 319

I am also instructed to inform your honorable body that the House has disagreed to senate amendment to H. J. R. No 1. "proposing an amendment to the Constitution of the State of Arkansas, and herewith return the same for your further consideration ×

H. J. R. 1

I am also instructed to inform your honorable body of the concurrence by the House in Senate amendments to House Bill No. 283, entitled "an act to amend an act entitled for the benefit of the Pleasant Ridge academy, in Bradley County, approved January 10. 1861 ×"

H B 283.

I am also instructed to inform you of the passage of House Bill No. 73, entitled "an act to regulate the mode of proposing and voting upon amendments to the Constitution of the State of Arkansas", and herewith respectfully transmit the same for your favorable consideration ×

H B. 73.

John G. Holland Clk ×

The amendment of Senator Terry was then, under a suspension of the rules, read a second time ×

Senator Terry moved that the amendment be adopted ×

And on said motion the ayes and noes were called for and the call sustained x

And the question being = Shall the amendment be adopted? It was decided in the affirmative

Ayes ---	18
Noes ---	8
Not Voting --	5 x

Those members who voted in the affirmative are = Senators Boyd Crowley Grant, Gatewood, Hamm Harris, Heill, Judkins, Mickey, Reid, Stanford, Terry, Thornton, Tipton, Watson White Whittington and Williams — 18 x

Voting in the negative were = Senators Armistead Ferguson, Kerr, Mitchel, Pennington, Rutherford, Wilson and the President — 8

Absent and not voting were = Senators Carlton, Chism, Duncan, Hampton, and Watkins — 5 x

And so the amendment was adopted x

Senator White moved to amend the 10th. subdivision of section 1. as follows = "The Prosecuting attorneys of the state shall receive no salary from the state?"

Which amendment, being read a first and second time, was rejected x

Senator Kerr moved to amend by filling the blank in the tenth subdivision of sect 1. by inserting the words two hundred dollars thereto x Read a first time and the rules being suspended, a second time x

On a motion to adopt the same Senator Kerr called for the ayes & noes, which call was sustained x

And the question being:
Shall the amendment be adopted?
It was decided in the affirmative.

Ayes	14
Noes	12
Not Voting	5

Those who voted in the affirmative are: Senators Crowley, Gantt, Gatewood, Hanna, Harris, Heill, Kerr, Mulky, Pennington, Stanford Terry, Whittington, Wilson and the President — 14.

Voting in the negative were: Senators Armistead, Boyd, Ferguson, Jenkins, Mitchel, Reid, Rutherford, Thornton, Tipton Walson, White, and Williams — 12

Absent and not voting were Senators Carlton, Chism, Duncan, Hampton, and Watkins — 5

And so the amendment was adopted.

Senator Watson moved to amend section 1 by adding thereto as follows: "The Governor shall not receive anything in addition to his salary, for household expenditures and mansion rent".

Amendment read a first time, and, the rules being suspended, a second time.

Sen Watson moved to adopt the amendment and thereon called for the ayes & noes — which call was sustained.

And the question being:
Shall the amendment be adopted?
It was decided in the negative.

Ayes	9
Noes	17
Not Voting	6

Those who voted in the affirmative are = Senators Boyd, Ferguson, Gatewood, Kerr, Pennington, Stanford, Tipton, Watson and the President — 9

Voting in the negative were = Senators Armistead, Crowley, Gantt, Hanna, Harris Heill, Judkins, Mitchel, Mulky, Reid, Rutherford, Perry, Thornton, White, Whittington Williams and Wilson — 17 x

absent and not voting were = Senators Carlton, Chism, Duncan, Hampton and Watkins — 5 — x

And so the amendment was rejected x

Senator Gatewood moved to amend section 1. as follows =

"The Superintendent of Public Instruction shall receive $1600 per annum, but the same to take effect after the expiration of the term of office of the present incumbent" x

Amendment read a first time, and, the rules being suspended a second time x It was then on motion adopted x

Senator White moved to amend the sixth subdivision of Section one (1) "by striking out the words "two thousand" wherever they occur, in said subdivision, and in lieu thereof insert "one thousand dollars" x Read a first time x

Senator Kerr moved that the amendment be rejected x

Which motion was agreed to x

Senator Armistead offered an amendment as follows, to-wit =

"Insert $1500 in place of $2000, as the salary of the attorney General" x

Amendment read a first time and, under a suspension of the Rules, a second time.

Senator White moved to substitute for the figures "15-00" the figures "1200." Read a first and second time.

On a motion to adopt the same the ayes & noes were called for, and the call sustained.

And the question being
Shall the substitute be adopted?
It was decided in the negative.

Ayes — — — 9
Noes — — — 19
Not Voting — — 5

Those who voted in the affirmative are: Senators Boyd, Galwood, Gudkins, Mitchel, Muckey, Pennington, Reid, Thornton and White — 9.

Voting in the negative were: Senators Armistead, Crowley, Ferguson, Gantt, Hanna, Harris, Keill, Kerr, Rutherford, Stanford, Terry, Tipton, Watson, Whittington, Williams, Wilson and the President — 19.

Absent and not voting were: Senators Carlton, Chism, Duncan, Hampton and Watkins — 5.

And so the substitute was not adopted.

Senator Whittington moved to strike out the figures "15-00" and insert the figures "1800" in lieu thereof, which was not agreed to.

And the question recurring on the amendment of Senator Armistead to strike out the amount "$2000" and insert in lieu thereof the amount "$1500", the ayes and noes were called for, and the call sustained.

And the question being=
Shall the amendment be adopted,
It was decided in the affirmative

Ayes — — —	21
Noes — — —	5—
Not Voting — —	5—

Those who voted in the affirmative are= Senators Armistead Boyd, Ferguson, Gantt, Gatewood, Hanna, Harris Hill, Mitchell, Muckey, Pennington, Reid, Rutherford, Stanford Terry, Thornton, Tipton, Watson, White, Whittington and Wilson — 21 x

Voting in the negative were= Senators Crowley, Judkins, Kerr, Williams and the President — 5— x

Absent and not voting were= Senators Carlton Chism, Duncan, Hampton and Watkins — 5— x

And so the amendment was adopted x

Senator Rutherford moved to amend the subdivision which applies to Auditor and Chancery Judges, by making the sum therein to be inserted $2,000 x Read a first and second time x

Senator Williams moved to amend by making the sum $2500 x The amendment having been read a first and second time, it was moved that it be adopted x

And on that motion the ayes and noes were called, and the call sustained x

And the question being=
Shall the amendment be adopted?
It was decided in the negative x

Ayes — — —	8
Noes — — —	18
Not Voting — —	5— x

Those who voted in the affirmative are = Senators Armistead, Crowley, Gantt, Gatewood, Judkins, White, Williams and Wilson — 8 x

Voting in the negative were = Senators Boyd, Ferguson, Hanna, Harris, Hill, Kerr, Mitchel, Nuckly, Pennington, Reid, Rutherford, Stanford, Turner, Thornton, Tipton, Watson Whittington and the President — 18 x

Absent and not voting were = Senators Carlton, Chism, Duncan, Hampton and Watkins — 5 x

And so the amendment was rejected x

And the motion recurring on the amendment of Senator Rutherford's amendment, the same was adopted, on a call of the ayes and noes x

And the Question being = Shall the amendment be adopted? It was decided in the affirmative

Ayes — — —	16
Noes — — —	10
Not Voting — —	5

Those who voted in the affirmative are = Senators Boyd, Ferguson, Gantt, Harris, Hill, Judkins, Mitchel Pennington, Reid, Rutherford, Stanford, Tipton, Watson, White Whittington, and Wilson — 16 x

Voting in the negative were = Senators Armistead, Crowley, Gatewood, Hanna, Kerr, Nuckly, Turner, Thornton, Williams and the President — 10 x

Absent and not voting were = Senators Carlton, Chism, Duncan, Hampton, Judkins, and Watkins — 5

And so the Amendment was adopted x

Senator Kerr moved to amend subdivision 4 "by striking out three thousand dollars" and inserting "three thousand and five hundred" × Read a first time, and, the rules being suspended, a second time ×

It was then moved that the amendment be adopted, and on the motion the ayes + noes were called and the call sustained ×

And the Question being=
Shall the Amendment be adopted?
It was decided in the negative ×

Ayes — — —	6
Noes — — —	20
Not Voting — —	5

Those members who voted in the affirmative are= Senators Armistead, Crowley, Kerr, Terry, Thornton, White — 6 ×

Voting in the negative were= Senators Boyd, Ferguson, Gantt, Gatewood, Hanna, Harris, Kelli, Judkins, Mitchel, Mulky, Pennington, Reid, Rutherford, Stanford, Tipton, Watson, Whittington, Wilson, Williams and the President — 20 ×

Absent and not voting were= Senators Carlton, Chism, Duncan, Hampton and Watkins — 5 ×

And so the amendment was rejected ×

Senator Terry moved to strike out the sum of "$3.000" and insert in lieu thereof the sum "$3.500" as the Salary of Supreme Judges × Read a first and second time ×

A motion being made to adopt the same, the ayes and noes were called thereon, and the call sustained ×

And the question being=
Shall the amendment be adopted?
It was decided in the negative ×

Ayes — — — 7
Noes — — — 19
Not Voting — — 5

Those who voted in the affirmative are = Senators Armistead Crowley, Judkins, Kerr, Terry, Thornton and White — 7

Voting in the negative were = Senators Boyd, Ferguson, Gantt, Gatewood, Hanna, Harris, Heile, Mitchel, Muckey, Pennington, Reid, Rutherford, Stanford, Tipton, Walson, Whittington, Williams, Wilson and the President — 19x

Absent and not voting were = Senators Carlin, Chism, Duncan, Hampton, and Watkins — 5x

And so the amendment was not adopted x

Senator White submitted the following as a substitute for sub-division 5. to-wit =

"The Commissioner of State Lands shall receive no salary from the state, and the fees now allowed to be charged by the Commissioner of State Lands, shall be the salary of his office, not to exceed five thousand dollars"x

Amendment read a first time, and, the rules being suspended, a second time x

On the motion to adopt the same the ayes and noes were called, and the call sustained x

And the question being = Shall the amendment be adopted? It was decided in the negative x

Ayes — — — 3
Noes — — — 23
Not Voting — — 5x

Those who voted in the affirmative were = Senators Judkins Thornton and White — 3 x

Voting in the negative were = Senators Armistead, Boyd, Crowley, Ferguson, Gantt, Gatewood, Hanna, Harris, Hill, Kerr, Mitchell, Nunelly, Pennington, Reid, Rutherford, Stanford, Terry, Tipton, Watson, Whittington, Williams, Wilson and the President — 23

Absent and not voting were = Senators Carlton, Chism, Duncan, Hampton and Watkins — 5 x

And so the amendment was rejected x

Senator Judkins moved to strike out all of the bill after the enacting Clause x Read twice and, on motion rejected x

Senator Watson moved to amend subdivision 5. Sect 1. by striking out "$2000" and inserting in lieu thereof "$1800" x Read a first and second time x

Senator Reid moved to amend the amendment by striking out the figures "1800" and inserting in lieu thereof, the figures "1500" Motion lost x

Senator White moved as an amendment to the amendment that the figures "1500" be stricken out and the figures "1600" be inserted in their stead x The amendment having been read a first time, and under a suspension of the rules, a second time, it was moved that the same be adopted x

On that motion the ayes and nays were called and the call sustained x

And the question being = Shall the amendment to the amendment be adopted ?

It was decided in the negative x

Ayes — — — 10
Noes — — — 16
Not Voting — — 5

Those members who voted in the affirmative are = Senators Boyd, Gatewood, Hale, Judkins, Pennington, Reid, Thornton, White, Williams and Wilson — 10 x

Voting in the negative were = Senators Armistead, Crowley, Ferguson, Gantt, Hanna, Harris, Kerr, Mitchel, Muelky, Rutherford, Stanford, Terry, Tipton, Walton, Whittington and the President — 16

Absent and not voting were = Senators Carlin, Chism, Duncan, Hamplin and Watkins — 5 x

And so the amendment to the amendment was rejected x

Senator Williams offered as an amendment to the amendment to the amendment to strike out the figures "1800" and insert "1600" x Read a first and second time x

It was moved that the amendment be adopted and on this motion the ayes and noes were called x

And the question being = shall the amendment to the amendment be adopted?
It was decided in the negative x

Ayes — — — 12
Noes — — — 14
Not Voting — — 5

Those who voted in the affirmative are = Senators Boyd, Gantt, Judkins, Gatewood, Hanna, Hale, Kerr, Pennington, Thornton, Reid, Wilson, Walton — 12 x

Voting in the negative were = Senators Armistead, Harris, Crowley, Mitchel, Muelky, Ferguson, Stanford, Terry, Rutherford, White, Whittington, Williams, Tipton and the President — 14 x

Absent and not voting were:
Senators Carlton Chism Duncan, Watkins, Hampton, 5 x

And so the motion did not prevail x

Senator Hill moved to amend the amendment by striking out the figures "1800" and inserting "1700" x Read a first and second time x

On a motion to adopt the same the ayes and noes were called, and the call sustained x

And the question being:
Shall the amendment to the amendment be adopted?
It was decided in the negative x

Ayes — — —	10
Noes — — —	15
Not Voting — —	6

Those who voted in the affirmative are: Senators Boyd, Gantt, Gatewood, Hill, Pennington, Reid, Thornton, White, Williams and Wilson — 10 x

Voting in the negative were:
Senators Armistead Crowley Ferguson, Hanna, Harris Kerr, Mitchel Mulkey, Rutherford, Stanford, Terry, Tipton, Watson, Whittington, and the President — 16 x

Absent and not voting were:
Senators Carlton, Chism, Duncan, Hampton, Judkins and Watkins — 6 x

And so the motion did not prevail x

Senator Watson's amendment to strike out "$2,000" and insert in lieu thereof "$1800" was then put and adopted x

Senator Terry moved that the bill, as amended, be ordered engrossed x which motion was adopted x

Senator Judkins moved that it be made the special for 12 o'clock M. on the 15th inst. Motion lost ×

Senator Pennington moved that it be made the special order for tomorrow at 12. M. agreed to ×

The next special order, Senate Bill No. 137, entitled "an act to provide for the payment of claims adjudged and allowed against the State of Arkansas by the Commission of Claims, under the provisions of an act of the General Assembly, of the State of Arkansas, approved March 28, 1871" was taken up for consideration ×

S.B. 137

By consent, Senator Judkins withdrew his amendment thereto, to strike out of the provisions of the bill the word "twenty" and insert in lieu thereof the word "five" ×

Senator Stone moved that the bill be indefinitely postponed, and the ayes and noes were called thereon ×

On the question being = Shall the bill be indefinitely postponed? It was decided in the negative ×

Ayes	10
Noes	13
Not Voting	8

Those who voted in the affirmative are: Senators Crowley, Ferguson, Gatewood, Hanna, Hill, Kerr, Pennington, Rutherford, Tipton and Walton — 10 ×

Voting in the negative were — Senators Boyd, Harris, Judkins, Mitchell, Mosby, Reid, Stanford, Terry, Thornton, White, Whittington, Williams and the President — 13 ×

Absent and not voting were = Senators Armistead, Carlton, Chism, Duncan, Gantt, Hampton, Watkins and Wilson — 8 x

And so the motion to postpone indefinitely was not agreed to x

The bill was then, on motion made the special order for tomorrow at 11 o'clock x

S.B. 59.

On motion of Senator Harris the next special order on the Secretary's desk was postponed, and Senate Bill No. 59, entitled "an act to donate certain lands to the Iron Mountain and Helena railroad Company", was taken up for consideration x

The amendments thereto, heretofore offered, were read and, on motion, adopted x

And then on motion of Senator Harris the bill was ordered engrossed and made the special order for tomorrow at 12.30 o'clock p.m.

S.B. 141.

The special order which had been postponed, being Senate bill No. 141, a substitute for Senate Bill No. 8, and entitled "an act to amend section 62 of an act approved 1875, entitled an act to maintain a system of Free Common Schools" was ordered up x

Senator Boyd moved as an amendment thereto, to strike out all of section 1, after the word "into" in the 14th line x

Pending consideration thereof a Message from the Governor was received by his Private Secretary Joblin Eng, who, being invited within the bar of the Senate, read as follows =

State of Arkansas,
Executive office,
Little Rock, March 3. 1879 ×

To the President of the Senate –
Mr. President –

I have this day approved and signed S. B. 100, an act to donate all the lands forfeited to the state for non-payment of taxes, all swamp and overflowed lands, lying in the Counties of Clark Calhoun and Ouachita, and all such lands in Dallas County situate west of Range Fifteen west, for the purpose of aiding in the construction of a railroad in said section ×

S.B. 100.

W R. Miller,
Governor ×

Senator Boyd rose to a question of privilege, and asked that the Senate Chamber be granted this evening to the Mechanic's and Laboring mens' Society of Little Rock, for the purpose of holding a meeting therein × Request granted ×

And then, at 10 o'clock and 20 minutes the Senate, on motion of Senator Judkins, took a recess until 3 o'clock p.m. ×

— " —

After Recess ×

The hour to which the Senate had taken a recess – 3 o'clock p.m., having arrived, the President took his chair and called the Senate to order ×

And the roll being called, it was found that the following named members were present, and answered to their names, viz: – The President Mr. Griffin, and Senators Armistead, Boyd Crowley Duncan Ferguson, Gantt, Gatewood, Hanna Harris, Hill, Judkins,

Kerr, Mitchel, Mullky, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson and the President.

Absent were Senators Carlton, Chism, Hamplin and Watkins.

S. B. 141. And the question before the Senate being Senate Bill No. 141, which was under consideration, when the Senate took a recess,

Senator Tipton moved that it be adopted in lieu of the original bill, which was agreed to.

Senator Boyd renewed his amendment to section 1. to-wit; to strike out all after the word "into" in the 14th line of said section, and moved its adoption, upon which motion the ayes and noes were called, and the call sustained.

And the question being=
Shall the amendment be adopted
It was decided in the negative.

Ayes	5
Noes	18
Not V	8

Those who voted in the affirmative are= Senators Boyd, Pennington Stanford, Terry and the President — 5.

Voting in the negative were= Senators Armistead, Crowley, Duncan, Ferguson, Gantt, Galewood, Hanna, Harris Hill, Kerr, Mitchel, Reid Rutherford, Thornton, Tipton, Watson, Whittington and Wilson — 18.

Absent and not voting were= Senators Carlton, Chism, Hamplin, Judkins, Mullky Watkins White and Williams — 8

And so the amendment was rejected.

A message from the House was received, by John G. Holland Esq. its clerk, who being invited within the bar of the senate read as follows =

Mr. President = I am instructed by the House of Representatives to inform your honorable body of the concurrence by the House in Senate amendments to H. B. No. 283, "a bill for an act to be entitled an act abolishing the court of common Pleas of the counties of Conway and Jackson, and disposing of all actions and proceedings pending therein x

H.B. 283.

I am also instructed to inform you of the passage of S.B. No. 125, "an act to authorize the County Court of Benton County, or the Judge thereof in vacation, to sell or barter the interest bearing State scrip in the Treasury of said county for the interest bearing County Warrants of said County, and for other purposes, and heretofore respectfully return the same x

S.B. 125.

John G. Holland, Clerk x

Consideration of Senate Bill, No. 141, being resumed Senator Boyd moved to amend section 1. by adding the following proviso, to-wit = "Provided, that nothing in this act shall be so construed as to in any way affect or apply to the public schools of Pulaski and Perry Counties" x

S.B. 141.

Amendment read a first and second time and then on motion adopted x

Senator Hanna offered the following amendment =

I move to amend by inserting after the word "trustees," at the end of 16th line the following = or 'any other school or educational institution or bona fide teacher or teachers are licensed to teach in the common schools of this state x

Amendment read twice & on motion adopted x

Senator Hanna moved to further amend by inserting after the word "College" in 19th and 24th lines the words, or other school or Educational institution"

Amendment read a first and second time, and then, on motion adopted.

Senator Tipton moved that the bill be ordered engrossed, and made the special order for Wednesday next at the hour of 10 o'clock a.m. which was agreed to.

S.B. 42. On motion of Senator Harris Senate bill No. 42 was taken up for consideration, and the amendments thereto of Senators Rutherford and Mitchel were read a second time and adopted.

On motion of Senator Harris the bill was then ordered engrossed, and made the special order for Wednesday, the 5th. inst at 12.30 o'clock.

S.B. 108. A special order of the day, Senate bill No. 108 "an act to authorize the commissioner of state lands to settle by compromise the conflicts of title between the state and railroad companies to selected and unapproved swamp and overflowed lands" was taken up read a third time and placed upon its final passage.

And the question being=
Shall the bill pass?
It was decided in the affirmative

Ayes	26
Noes	1
Not Voting	4

Those who voted in the affirmative are:- Senators Armistead, Boyd, Brownlee, Duncan, Ferguson, Garth, Gatewood, Hanna, Harris, Hill, Jackins, Kerr, Mitchel, Nuckly, Pennington, Reid, Rutherford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson & the President — 26.

Senator Stanford voted in the negative x 1x

Absent and not voting were: Senators Gallion, Chism, Hampton and Watkins. 4x

And so the bill passed x

S.B. 50. Senator Wilson moved that Senate bill No. 50, "an act to encourage the building of railways in the State of Arkansas" agreed to x

The amendments of the House thereto were then read a first and second time.

On motion of Senator Wilson the bill and amendments were made the special order for tomorrow at 10.30 o'clock, a.m.

Senator White called to the chair x

S.B. 20. Senator Ferguson asked that the Rules be suspended and Senate Bill No. 25, be taken up for consideration motion not agreed to x

The order being unfinished business, the reports of Committees filed but not acted upon were ordered up for reading x

S.B. 263-124-126-143. The reports of the Judiciary Committee on Senate bills Nos. 263, 124, 126, 143, recommending the passage of said bills were adopted x

S.B. 85 The report of the same Committee on Senate bill No. 85 recommending the adoption of a substitute bill therefor was adopted x and the substitute bill read a first time

S.B. 263. Senator Crowley moved that the Rules be suspended & House bill No. 263, be taken up for consideration x motion lost x

S.B. 121. The report of the Judiciary Committee on Senate bill No. 121, recommending no action, was laid upon the table.

Senator Gatewood moved that the Rules be suspended and the bill taken up, read a third time and placed upon its final passage. Motion lost.

S.B. 94. The report of the Judiciary Committee on Senate bill, No. 94 recommending the passage of a substitute bill therefor was received and the substitute read a first time.

Sub. S.B. 169. Senator Reid moved that the substitute (S. B. 169.) be read a second time under a suspension of the rules. Not agreed to.

S.B. 71. Senate bill No. 71, "an act for the relief of Alvin Embanks and Benj. M. Grambling" was read a third time and placed upon its final passage.

And the question being:
Shall the bill pass?
It was decided in the affirmative.

Ayes — 23
Noes — 1
Not Voting — 7

Those who voted in the affirmative are: Senators Armistead, Boyd, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hamm, Harris, Heill, Judkins, Kerr, Mitchel, Mulky, Pennington, Reid, Rutherford, Terry, Thornton, White, Whittington, Williams and the President — 23.

Senator Watson voted in the negative — 1

Absent and not voting were: Senators Barton, Chism, Hampton, Stanford, Tipton, Watkins and Wilson — 7.

And so the bill passed.

S.B. 118.

Senate Bill No 118, "an act to make provision for the care of the military property of the State" was taken up read a third time and placed upon its final passage x

And the question being=
Shall the bill pass
It was decided in the affirmative

Ayes --- 23
Noes --- 1
Not voting 7

Those who voted in the affirmative are= Senators Armistead, Boyd, Crowley, Duncan, Finnigan, Gantt, Hanna, Harris, Hill, Judkins Kirk Mitchel, Muckey Pennington, Reid, Rutherford, Terry Thornton, Walson, White, Whittington, Williams, and the President= 23 x

Voting in the negative was Senator Gatewood — 1

Absent and not voting were Senators Carlton Chism Hampton, Stanford, Tipton, Wadkins and Wilson 7

And so the bill passed

H.B. 40.

House bill No 40 an act to donate lands to the Washington and Kerpe Railway Company" was taken up read a third time and placed upon its final passage x

And the question being=
Shall the bill pass?
It was decided in the affirmative,

Ayes --- 15
Noes --- 6
Not Voting -- 10

Those who voted in the affirmative are = Senators Armistead, Boyd, Duncan, Ferguson, Garrett, Hanna, Harris Hill, Jenkins, Kerr, Mullins, Terry, Thornton, ~~Watson~~, White White-ington, ~~Williams~~

Voting in the negative were = Senators Mitchel, Pennington, Reid, Rutherford, Watson and Williams — 6 ×

Absent and not voting were Senators Carlton, Chism, Crowley, Hatcwood, Kampton, Stanford, Tipton, Watkins and Wilson — 10

And so the bill passed ×

And then at 5 o'clock and 15 minutes P.M. the Senate, on motion of Senator Whittington, adjourned ×

M M Duffie
President of Senate

Attest
Lee G. Kretschman
Sec'y —

Senate Chamber
Tuesday, March, 4th. 1879.

The hour of 9 o'clock and 30 minutes a.m. having arrived, the President called the Senate to order.

And the roll being called, it was found that the following named members were present, and answered to their names, viz:

The President, Mr. Duffie, and Senators Armistead, Boyd, Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Heil, Jackson, Kirr, Mitchel, Mucky, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Williams, Wilson and Whittington. Absent, Senators Chism, Stanford and Watkins.

Prayer by the Chaplain.

The Journal of yesterday was read, and after a correction, was approved and signed.

Senator Armistead sent to the Secretary's desk the following desk, which was read:

Mr. President: I move that the reading of the Journal be dispensed with, and the committee on the Journal be directed to inspect the same, and report to the Senate from day to day, during the remainder of the session.

Motion not agreed to.

Under the Rule,

S.B. 153 & 123 — Senator Watson, Chairman of the Committee on Engrossed bills, reported back Senate bills Nos 153, and 123, correctly engrossed; and Senator Terry from the same Committee, as correctly engrossed Senate

S.C.B. 137. Bill No. 137.

By consent Senator Kirr submitted a report

H.B. 137 on House Bill No. 137, entitled an act to provide

means to support the state government and supply deficiencies in the Treasury", and recommended that it do pass × Report

S.B. 137.

Senator White moved that the Rules be suspended and that Senate bill no. 137, entitled an act to provide for the payment of claims adjudged and allowed against the state of Arkansas by the Commission of claims, under the provisions of an act of the General Assembly of the state of Arkansas, approved March 28th. 1871

On motion of Senator Reid the Rules were suspended, and the bill read a third time and placed upon its final passage,

And the question being =
Shall the bill pass?
It was decided in the affirmative ×

Ayes — — —	21
Noes — — —	8
Not Voting — —	2

Those who voted in the affirmative are: Senators Armistead Carlton, Crowley, Duncan, Ferguson, Gantt, Hampton, Hanna, Harris, Judkins, Kerr, Muckly, Pennington, Reid, Rutherford, Stanford Terry, White Whittington, Wilson and the President — 21 ×

Voting in the negative were = Senators Boyd, Gatewood, Hill, Mitchel, Thornton Tipton, Watson and Williams — 8

Absent and not voting were = Senators Chism and Watkins — 2 ×

And so the bill passed ×

A message from the House was received, by John G. Holland, Esq, its clerk, who, being invited within the bar of the Senate, read as follows =

Hall, House of Representatives,
March 4, 1879 ×

Mr President =

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of S.B. 9. "an act for the relief of minors" and herewith respectfully return the same ×

S.B. 9.

I am also instructed to inform you of the passage of H.B. 101, "an act to amend an act entitled an act to regulate proceedings in county courts, in cases of Bastardy, and for other purposes".

H.B. 101.

also; H.B. 103, entitled "an act to make valid certain proceedings of the county court of Grant County"

H.B. 103.

also; H.B. No. 141, entitled "an act to make it larceny for an Executor administrator, or Guardian, to embezzle the effects of his testator, intestate or Ward" ×

H.B. 141.

also; H.B. No. 160 "an act entitled an act to change the boundary lines between Lincoln and Jefferson and Desha Counties, and for other purposes" ×

H.B. 160.

also; H.B. No 166. "an act to prevent unjust discrimination in the rates charged for the transportation of passengers and freights on the railroads of this state", and herewith respectfully transmit the same for your favorable consideration

H.B. 166.

John G. Holland Clerk ×

The special order of the hour, Senate Bill No. 50, "an act to encourage the building of Railroads in the state of Arkansas" was taken up, and the House amendments thereto read a third time and concurred in ×

S.B. 50

And the question being:
Shall the amendments be concurred in?
It was decided in the affirmative

Ayes — — —	26
Noes — — —	3
Not Voting — —	2

Those who voted in the affirmative are: Senators Carlton, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hampton, Herman, Holmes, Hill, Judkins, Kerr, Mitchell, Murray, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Watson, White, Whittington, Williams, Wilson and the President — 26.

Voting in the negative were Senators Armistead, Boyd, and Tipton — 3.

Absent and not voting were Senators Chism and Watkins — 2.

And so the amendments were concurred in.

Under the Rule, Senator Wilson, Chairman of the Judiciary Committee presented a report on House bill No. 115, "an act to amend sections 5098, 5099, 5100 and 5702, and to repeal section 5103 of Gantt's digest" and returned the same with the recommendation that the proposed amendment thereto be rejected. Report received.

HB 115.

Senator Gatewood, chairman of the Committee on Claims reported back Senate Bill No. 156, "an act for the relief of S. L. Herlman", with the recommendation that it do not pass. Report received.

S.B. 156.

Senator Pennington, chairman of the Committee on County and County Lines reported back Senate bill No. 84, "an act to change the boundary line between the counties of Stone and Izard", without recommendation.

S B. 84.

Senator Mitchell of the Special Committee on County Expenditures reported back, with the recommendation that it do pass, Senate bill Senate bill No. 97.

SB 97

A message from the Governor, by W. J. Jobbin Esq. his Private Secretary was received, and the Messenger being invited within the bar of the Senate, read as follows:

State of Arkansas
Executive Office,
Little Rock, March 3. 1879.

To the President of the Senate
Sir President =

I have approved

S.B. 102 and signed S.B. 102, an act to change the time for holding the Circuit courts in the Third Judicial circuit of the State, and for other purposes.

W. R. Miller
Governor.

S.B. 32. The bill of the Senate (S. 73. 770 32) entitled "an act to authorize the appointment of assistant prosecuting attorneys" was taken up, read a third time and placed upon its final passage.

Now the question being =
Shall the bill pass?
It was decided in the affirmative

Ayes — — — 23
Noes — — — 5
Not Voting — — 3

Those who voted in the affirmative are = Senators Boyd, Carlton, Crowley, Duncan, Ferguson, Grantt, Gatewood, Hampton, Hanna, Hill, Jackson, King, Mickey, Pennington, Rutherford, Terry, Thornton, Tipton, White, Whittington, Williams, Wilson and the President — 23.

Voting in the negative were = Senators Armistead, Harris, Mitchell, Reid, and Watson — 5

Absent and not voting were Senators Chism, Stanford and Watkins — 3

And so the bill passed.

S.B. 58. Senate Bill No. 58, entitled "An act to facilitate the business of County and Township officers, was taken up for consideration

It was moved that the report of the majority of the Judiciary Committee recommending the rejection of the bill be adopted.

Which was agreed to, and the bill declared rejected.

S.B. 61. Senate Bill No 61, entitled "An act to repeal an act entitled an act to amend section 1409 of Gantts Digest, and for other purposes" was ordered up.

It was moved that the report of the Judiciary Committee, recommending its rejection, be adopted. Motion lost.

The bill was then, on motion, read a third time & placed upon its final passage.

And the question being=
Shall the bill pass?
It was decided in the affirmative

Ayes	15
Noes	12
Not Voting	4

Those who voted in the affirmative are= Senators Armistead, Carlton, Crowley, Duncan, Gatewood, Hanna, Hill, Kerr, Rutherford, Terry, Thornton, Tipton, White, Whittington and the President — 15

Voting in the negative were= Senators Boyd, Ferguson, Gantt, Hampton, Harris, Jackins, Mitchell, Mulkey, Pennington, Reid, Slaton and Williams — 12

Absent & Not Voting were Senators Chism, Stanford, Watkins and Wilson — 4.
And so the bill passed.

S.B. 123

Senate Bill No. 123, entitled "An act to provide for the punishment for the unlawful occupation of the house of another" was taken up, read a third time and placed upon its final passage.

And the question being=
Shall the bill pass?
It was decided in the affirmative.

Ayes — — — 24
Nays — — — 3
Not Voting — — 4

Those who voted in the affirmative are= Senators Armstrong, Boyd, Carlton, Duncan, Ferguson, Gantt, Gatewood, Hampton, Hanna, Harris, Hill, Jenkins, Kerr, Wilcox, Rutherford, Stanford, Terry, Thruston, Watson, White, Whittington, Williams, Wilson and the President — 24

Voting in the negative were= Senators Crowley, Pennington and Reid — 3.

By request Senator Tipton was excused from voting — 1

Absent and not voting were Senators Chism, Mitchell and Watkins — 3.

And so the bill passed.

On motion of Senator Jenkins the special order for 11 o'clock was postponed to permit him to submit a report, which he sent to the Secretary's desk, and which was read as follows=

Mr. President=

S.B. 152

The Committee on Finance to which was referred Senate Bill No 152, report that the same have been by the Committee considered, and its passage recommended with the following amendments, viz=

1- In section 3, line 4, after the word "such", strike out all to the word until, in line 6. In line 22, strike out after the word

"received", "from" and insert "for" ×

2. Section four amend by striking out in 4th line, the word "appoint", and insert the word "authorized" ×

3. Amend by striking out the word "five" after the word "received" and insert the word "four" in 26th line 7th. section × strike out the word "election" after the word "their" in the 29th line, and insert "assignment to duty"

4. On line 30, after the word "recei" strike out "five" and insert "four"

All of which respectfully, and the Committee recommend that the same pass as amended ×

Senator Jordan moved that the rules be suspended, and the amendments read a second time × which was agreed to ×

The amendments were then on motion taken up separately and adopted ×

On motion the bill was ordered engrossed and made a special order for tomorrow at 11.30 o'clock a.m.

S. B. 137 Senate bill no. 137, entitled "an act to provide for the payment of claims adjudged and allowed against the state of Arkansas by the Commissioner of claims under the provisions of an act of the General assembly of the state of Arkansas, approved March 28, 1891" was taken up read a third time and placed upon its final passage ×

And the question being =
Shall the bill pass?
It was decided in the affirmative

Ayes	12
Noes	10
Not Voting	9

Those who voted in the affirmative are = Senators Boyce, Carlton, Harris, Judkins, Mitchel, Muckey, Reid, Stanford, Terry, White, Whittington and the President — 12 ×

Voting in the negative were = Senators Crowley, Ferguson, Gatewood, Hamer, Hall, Kerr, Pennington, Rutherford, Tipton, and Watson — 10

Absent and not voting were = Senators Armistead, Chism, Duncan, Gantt, Hampton, Thornton, Watkins, Williams and Wilson — 9

And so the bill passed ×

A message from the House, by John G. Hollard Esq. its Clerk, was received, and the Messenger being invited within the bar of the Senate, read as follows =

Hall. House of Representatives,
March 4. 1899 ×

Mr President =
I am instructed by the House of Representatives to inform your honorable body of the passage by the House, of S.B. No. 109, "an act to regulate the sale of Wines ardent, Malt or fermented liquors", and herewith respectfully return the same ×

S.B. 109.

I am also instructed to inform you of the passage of H.B. No. 133, "an act entitled an act for the relief of the Purchasers of the Arkansas Institute for the Blind, situated in the city of Arkadelphia, Clark County" and herewith respectfully transmit the same for your favorable consideration ×

H.B. 133.

John G. Hollard. Clerk ×

On motion of Senator Terry, the motion to reconsider the vote by which the bill repealing the act making the Petit Jean river a navigable stream, had been passed, was further postponed for consideration until Friday next, at 11 o'clock a.m.

And then, on motion of Senator White, the Senate 12 o'clock and 30 minutes took a recess until 3 o'clock p.m.

After Recess.

The hour of 3 o'clock having arrived the President called the Senate to order.

And the roll being called the following members answered to their names, viz:-
The President, Mr Duffie, and Senators Armistead, Boyd, Carlton, Crowley, Duncan, Gantt, Gatewood, Hamma, Harris, Hecht, Jocklin, Kerr, Mitchel, Mueller, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams & Wilson.

And a quorum present.

S.B. 153. As a special order, Senate bill No. 153, "An act to fix the salaries of State officers and the per diem of members of the General Assembly" was taken up, and, on motion of Senator Pennington read a third time and placed upon its final passage. Senator Kerr moved to reconsider the vote by which it was ordered to its third reading. Lost.

And the question being,
Shall the bill pass?
It was decided in the affirmative.

Ayes	24
Noes	3
Not Voting	4

Those who voted in the affirmative are = Senators Armistead, Boyd, Duncan, Gantt, Galtwood, Hanna, Harris, Hill, Kerr, Mitchel, Muckey, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson and the President — 24 x

Voting in the negative were = Senators Carlton, Crowley and Judkins — 3 x

Absent and not voting were = Senators Chism, Ferguson, Hampton and Watkins — 4 x

And so the bill passed x

Under the Rule
Senator Whittington reported Senate
SB. 59. bill No. 59, as correctly engrossed x

By Consent, Senator Armistead presented a report on House Bill No 3,
HB. 3. "an act to amend an act providing a General Election law, approved January 23, 1875 - together with an amendment providing the provisions of said bill shall not take effect until the General Election after year 1882" and recommended the passage of the bill with the amendment x

The amendment was then read a second time x

On a motion to adopt it, Senator Boyd called for the ayes & noes, which call was sustained x

And the question being = Shall the amendment be adopted? It was decided in the affirmative x

Ayes — — —	19
Noes — — —	9
not Voting — —	3

Those who voted in the affirmative are = Senators Armistead, Carlton, Duncan, Gantt, Galtwood, Hanna, Judkins, Mitchel, Muckey, Pennington, Reid, Stanford, Terry, Thornton, Tipton, White, Whittington, Williams and Wilson — 19 x

Voting in the negative were = Senators Boyd, Crowley, Ferguson, Harris, Hill, Kerr, Rutherford, Watson and the President — 9 x

Absent and not voting were Senators Chisum, Hampton and Watkins — 3 x

And so the amendment was adopted x

On motion of Senator White the bill as amended was then read a third time and placed upon its final passage x

And the question being = Shall the bill pass ? = It was decided in the affirmative

Ayes — — —	22
Noes — — —	6
Not Voting — —	3

Those who voted in the affirmative are = Senators Armistead, Carlton, Crowley, Duncan, Gantt, Gatewood, Hanna, Jenkins, Kerr, Mitchell, Mulkey, Reid, Rutherford, Stanford, Terry, Thornton, Tipton, Watson, White, Whittington, Williams, Wilson and the President — 22 x

Voting in the negative were = Senators Boyd, Ferguson, Harris, Hill, Pennington, Rutherford — 6 x

Absent and not voting were = Senators Chisum, Hampton and Watkins — 3 x

And so the bill passed x

S. B. 59. The next special order S.B. 59 was ordered up for consideration — it being a bill entitled "an act to donate certain lands to the Iron Mountain and Helena Railroad Company" x

Senator Harris moved that the bill be read a third time and placed upon its final passage x which was agreed to x

And the question being =
Shall the bill pass?
It was decided in the affirmative

Ayes --- 22
Nays --- 5
Not Voting -- 4

Those who voted in the affirmative are = Senators Armistead Carlton, Crowley, Duncan Ferguson, Gantt, Gatewood, Hanna, Harris Hill, Jackins, Kerr, Mitchell, Muckey Pennington, Stanford, Terry, Thornton, Whittington Williams, Wilson and the President — 22

Voting in the negative were = Senators Boyd, Reid, Rutherford, Tapley and Walton — 5

absent and not voting were = Senators Chism, Hampton, Watkins and White — 4 x

And so the bill passed x

As unfinished business
House bill No 245 was taken up x

Senator Carlton moved that it be made the special order for Thursday next at 12 o'clock m. agreed to x

Sen Harris called to the Chair x

On motion of Senator Reid, the rules were suspended, and senate bill 169, a substitute for S.B. 94, "an act establishing a court of common Pleas in the Counties of Columbia Lafayette & Miller, and for other purposes", was taken up for consideration, and read a second time x

S.B. 169. Sub. for S.B. 94

Senator Reid offered thereto the following amendment:

Sec. 21.- That the County Judges of the Counties of Columbia Lafayette and Miller shall each receive the sum of two hundred dollars per annum in addition to the salary now allowed by law, for their services as Judges of said Courts of Common Pleas

The amendment was read a first and second time, and then, on motion, adopted x

Senator Reid then moved that the substitute be adopted in lieu of the original bill x, which was agreed to x

And then, on motion of Senator Reid, the bill was made the special order Thursday next immediately after the reading of the Journal, and ordered Engrossed x

H.B. 263. Senator Browley moved that the Rules be suspended, and H. B. No. 263, "an act changing the time for holding the semi-annual terms of the Circuit Court of Phillips county and giving Lee county an additional week at each of the semi-annual terms of the Circuit Court in the First Judicial Circuit, be taken up x agreed to x

The bill was then read a second time and, under a suspension of the Rules, a third time, and placed upon its final passage x

And the question being:
Shall the bill pass?
It was decided in the affirmative x

Ayes — — —	27
Noes — — —	0
Not Voting — —	4

Those who voted in the affirmative are Senators Armistead Boyd, Carlton, Crowley, Duncan, Ferguson, Garth, Gatewood, Hanna Harris Hill Jenkins Kerr, Mitchell, Muckey, Pennington, Reid, Rutherford Stanford, Terry, Thornton Tupton, Watson White Whittington Wilson and the President — 27 x

None voted in the negative x

Absent & not voting were Senators Robison, Hampton Watkins and Williams — 4

And so the bill passed x

On motion of Senator Muckey, Dr. M. M. McGuire, Editor of the Sarvanillo Independent was invited to a seat on the floor of the state ×

Senator Whittington moved to suspend the rules and take up Senate bill No. 154, a substitute for House Bill No. 60 "An act prohibiting the removal from the premises of crops on which liens exist × which was agreed to ×

S.B. 154 sub for H.B. 60.

The bill was then read a first time, and, the rules being suspended, a second time ×

It was then, on motion, made a special order for Friday night the 17th inst. at 11 o'clock a.m.

Sen Wilson moved that the rules be suspended and that House Bill no 181 be taken up for consideration agreed to ×

H.B. 181

The bill was then read a first time, and, under a suspension of the rules, a second time ×

It was then, on motion of Senator Wilson, made the special order for tomorrow at 10 o'clock a.m.

On motion of Senator Boyd the rules were suspended and Senate bill No 65; "An act to amend Section 1 of an act entitled an act for the government of County Jails and Poor Houses, approved November 5th 1895" was ordered up, read a third time and placed upon its final passage

S.B. 65

And the question being = Shall the bill pass
It was decided in the affirmative.

Ayes ---	16
Noes ---	7
not Voting --	8

Those who voted in the affirmative are: Senators Boyd, Duncan Ferguson Gantt, Hanna Harris Hall, Mullay, Pennington Rutherford, Terry, Tipton, White Whittington, Williams and the President — 16

Voting in the negative were: Senators Carlton, Crowley Gatewood, Jackins Mitchel, Reid, Thornton — 7

Absent and not voting were: Senators Chrisin, Hampton, Kerr Stanford Watkins Watson and Wilson — 8 x

And so the bill passed x

SB 130 On motion of Senator Jackins, Senate Bill No. 130 "an act to prescribe the manner in which circuit courts may decree the adoption of children, and change the names of the same" was taken up, and, with the amendment thereto read a second time x

The bill was then, on motion of Senator Jackins, ordered engrossed and made a special order for tomorrow at 10:30 o'clock a.m.

SB 97 On motion of Senator Terry, Senate Bill No. 97 "an act for the relief of James A. Henry, late Treasurer of Pulaski County and the securities on his bond as said Treasurer" was taken up, read a third time and placed upon its final passage.

And the question being: Shall the bill pass? It was decided in the affirmative

Ayes ---	18
Noes ---	0
Not Voting --	8 x

Those who voted in the affirmative are: Senators Armstead, Boyd, Carlton, Crowley, Duncan, Gantt Hanna Harris Hill, Kerr Mitchel, Pennington Reid, Terry,

Thornton, Watson, Whittington and the President — 18

Voting in the negative were: Senators Ferguson, Gatewood, Jackins, Tipton and Whittington — 5

absent and not voting were: Senators Chism Hampton Stanford, Watkins White and Wilson — 6 x

Excused from voting were Senators Mulkey and Rutherford — 2

And so the bill passed x

H.B. 133. On motion of senator Gantt House Bill no. 133, "an act for the relief of the Purchasers of the Arkansas Institute for the Blind, situated in the city of Arkadelphia, Clark County" was taken up, read a first time, and, under a suspension of the rules a second time x

It was then on motion referred to the Committee on Finance x

And then, on motion, the Senate at 5 o'clock p.m. adjourned x

Attest
Lon T. Kattschman
Clerk

W. M. Duffie
President of Senate x